

Doctoral Program on Law and Political Science

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**Multiple Streams and Multiple Couplings
in Latin American Public Policies**

Understanding Gun Policy Changes in Brazil and Uruguay

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Abstract

In recent decades, criminal violence has increased drastically in Latin America and turned into the main public concern of its citizens. Firearms play a crucial role in the dynamics of violence engulfing the region. This research adopts a public policy perspective to study transformations in gun control policies that took place in Latin America at the beginning of the 21st century. Its first objective is to explain the contrasting prominence of the firearm control issue in the political agendas of Brazil and Uruguay, as well as the different policy decisions that followed. Namely, the approval of the Brazilian Disarmament Statute in 2003 and the Uruguayan Responsible Firearm Ownership Law (RFOL) in 2014.

To explain these phenomena, we were guided by public policy theories concerning agenda-setting and policy formation. Agenda-setting is the process by which issues gain or lose public and elite attention, and moreover are constructed, defined and set out on the list of items for governmental action. Policy formation is the process by which policies stay constant or change over time. Applied is John Kingdon's (1995) Multiple Streams Framework (MSF), a theoretical approach that conceives agenda and policy changes as the combination of problems, solutions and politics, brought together by the decisive action of policy entrepreneurs. In addition, we adopt several recent theoretical modifications (Herweg et al., 2015; Knaggård, 2015, 2016; Zahariadis, 2003; Zohlnhöfer et al., 2016) that introduce additional variables to the analysis.

Since the MSF and its extensions were developed with Western democracies in mind and policy studies are fairly limited in Latin America, our second research objective is their further development and that of the regional policy research agenda. Their suitability to explain agenda and policy changes is assessed with the help of empirical evidence from different qualitative explanatory sources. Among others, the study of legislative documents, academic literature and media reports, as well as the conduction of in situ interviews with protagonists of the specific policy processes

Gun control was the subject of a disruptive agenda change in Brazil, causing an intense and ongoing public debate during the second half of the 1990s and first half of the 2000s. On the contrary, Uruguay's agenda-setting process followed the general pattern in the region, ending in an incremental agenda change and gathering only very limited public and political attention. The comparative analysis concluded that four major factors explained the different outcomes: the dissimilar presence and credibility of academics and researchers working on the problem, the unequal resources and capacities of entrepreneurs outside the political system, the distinct perspectives on gun control that dominated public opinion, and the differing fragmentation of the policy communities.

Moreover, the following policy changes differed greatly regarding their goals, instruments, scope and directional logic. The Brazilian Disarmament Statute implied a disruptive policy change and sought to disarm society as much as possible, while the Uruguayan RFOL supposed an incremental policy change and only sought to deter the illegitimate use of firearms by criminals. Ultimately, a disruptive policy change is more likely if it is preceded by a disruptive change in the agenda. However, the comparative analysis also proved that it was necessary to consider the influence of institutional constraints, such as the number of actors with veto power, the political majorities that suffice to adopt a policy, and the possibility of using mechanisms of direct democracy.

Finally, the analysis highlighted the MSF's unfitness to acknowledge the important role played by civil society actors in the policy formation processes of developing countries. While our results did not suffice to reach unequivocal findings on these matters, we discuss their implications and suggest future lines of research.

Resumen

La violencia criminal en América Latina ha aumentado drásticamente en las últimas décadas y se ha convertido en la principal preocupación de sus ciudadanos. Las armas de fuego son fundamentales en las dinámicas de violencia que azotan la región. Esta investigación adopta una perspectiva de políticas públicas para estudiar cambios en materia de políticas de control de armas que sucedieron a principios del siglo XXI en América Latina. El primer objetivo del estudio es explicar la distinta relevancia que adquirió la problemática en las agendas políticas de Brasil y Uruguay, así como las distintas decisiones políticas que les siguieron. Estas son el Estatuto del Desarme de 2003 en Brasil y la Ley de Tenencia Responsable de Armas (RFOL, por sus siglas en inglés) de 2014 en Uruguay.

Para explicar estos fenómenos, nos guiamos por teorías de políticas públicas relativas a la construcción de la agenda y a la formación de políticas públicas. El proceso de construcción de la agenda hace referencia a las dinámicas por las cuales los asuntos ganan o pierden relevancia para el público y las élites, y también a la manera en que son contruidos, definidos y colocados en la lista de temas propensos a la acción gubernamental. Por su parte, la formación de políticas públicas es el proceso por el cual las políticas permanecen constantes o cambian a lo largo del tiempo. En concreto, aplicamos el Marco de Corrientes Múltiples (MSF, por sus siglas en inglés) de John Kingdon (1995), un marco teórico que concibe estas dinámicas como la combinación entre problemas, soluciones y procesos políticos, cuya conjunción es llevada a cabo por la acción decisiva de promotores de políticas públicas. Adicionalmente, adoptamos varias modificaciones

recientes (Herweg et al., 2015; Knaggård, 2015, 2016; Zahariadis, 2003; Zohlnhöfer et al., 2016) que introducen variables adicionales al análisis.

Puesto que el MSF y sus extensiones fueron desarrollados pensando en las democracias europeas occidentales, y que el estudio de las políticas públicas es bastante limitado en América Latina, nuestro segundo objetivo de investigación es impulsar su desarrollo, así como la agenda de investigación de políticas públicas en la región. La capacidad del MSF para explicar los cambios en la agenda y en las políticas públicas fue evaluada a través de evidencia empírica de distintas fuentes cualitativas. Entre otras, el estudio de documentos legislativos, literatura científica e informes periodísticos, así como la realización de entrevistas *in situ* con los protagonistas de los procesos políticos estudiados.

A pesar del desafío, el MSF y sus modificaciones fueron esencialmente capaces de decodificar los cambios en la agenda y en las políticas en cuestión. Así, el control de armas supuso un cambio considerable en la agenda política brasileña y causó un extenso debate público en la segunda mitad de la década de los 90 y principios de los 2000. Por el contrario, el proceso de conformación de la agenda en Uruguay siguió el patrón general de la región, produciendo un cambio incremental en la agenda y apenas llamando la atención pública y política. El análisis comparado concluyó que cuatro factores principales explicaban los distintos resultados: la disímil presencia y credibilidad de académicos e investigadores trabajando con el problema, los desiguales recursos y capacidades de los promotores ajenos al sistema político, las diferentes perspectivas que dominaban la opinión pública en relación al control de armas, y la distinta fragmentación de las comunidades de políticas públicas.

Asimismo, los cambios en las políticas públicas que les siguieron se distinguieron considerablemente en cuanto a sus objetivos, instrumentos, alcance y lógica direccional. El Estatuto del Desarme implicó un cambio de políticas públicas extenso y buscaba desarmar a la sociedad en la medida de lo posible. Por el contrario, la RFOI supuso un cambio incremental y solo busca desalentar el uso ilegítimo de las armas de fuego por parte de criminales y delincuentes. En general, un cambio disruptivo es más probable si está precedido por un cambio extenso en la agenda. No obstante, el análisis comparado también demostró que es necesario considerar la influencia de las limitaciones institucionales, como pueden ser el número de actores con poder de veto, las mayorías políticas que alcanzan para adoptar políticas, y la posibilidad de usar mecanismos de democracia directa.

Por último, el análisis subrayó las dificultades del MSF para tomar en cuenta el importante papel desempeñado por los actores de la sociedad civil en la formación de políticas públicas de países en desarrollo. Aunque nuestros resultados no son suficientes para llegar a hallazgos inequívocos, discutimos sus implicaciones y sugerimos líneas de investigación futuras.

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List of abbreviations

- ACF: Advocacy Coalition Framework
- ACOLT: Brazilian Association of Armories, Collectors and Shooters
- ALUDEC: Uruguayan Association to Fight for Civil Disarmament
- ANIAM: Brazilian National Association of Weapon and Ammunition Industries
- ANPCA: Brazilian National Association of Firearm Owners and Storekeepers
- APA: Uruguayan Arms Possession Permit
- ATT: UN Arms Trade Treaty
- AUTRAF: Uruguayan Association of Responsible Firearm Owners
- CAN: Community of Andean Nations
- CASAC: Central American Program on Small Arms Control
- CBC: Brazilian Ammunitions Company
- CIAMU: Uruguayan Chamber of Firearm and Ammunition Importers
- CIFTA: Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials
- EEUU: Estados Unidos de América
- FA: Uruguayan party coalition Broad Front (*Frente Amplio*)
- FHC: Brazilian former president Fernando Henrique Cardoso
- GCM: Garbage Can Model
- HAC: Humanitarian arms control
- IANSA: International Action Network on Small Arms
- IBOPE: Brazilian Institute of Public Opinion and Statistics
- ICBL: International Campaign to Ban Landmines
- IDB: Inter-American Development Bank
- IELSUR: Uruguayan Institute for Legal and Social Studies
- IMBEL: Brazilian War Material Industry
- IMF: International Monetary Fund
- ISER: Brazilian Religion Studies Institute
- ITI: UN International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons
- Lula: Brazilian former president Luiz Inácio Lula da Silva
- MERCOSUR: Southern Common Market
- MSF: Multiple Streams Framework
- NE: Uruguayan New Space party (*Nuevo Espacio*)
- NEV-USP: Centre for Violence Studies of the University of Sao Paolo

- NFCO: Uruguayan National Firearms Control Office
- NGO: Non-governmental organization
- OAS: Organization of American States
- OECD: Organization for Economic Co-operation and Development
- PC: Uruguayan Colored Party (*Partido Colorado, Colorados*)
- PET: Punctuated Equilibrium Theory
- PI: Uruguayan Independent Party (*Partido Independiente*)
- PN: Uruguayan National Party (*Partido Nacional, Blancos*)
- PoA: UN Program of Action
- PSDB: Brazilian Social Democracy Party (*Partido de la Social Democracia Brasileña*)
- PT: Brazilian Worker's Party (*Partido dos Trabalhadores*)
- RENAR: Argentinian National Weapons Registry
- SALW: Small arms and light weapons
- SAM: Small arms movement
- SICA: Central American Integration System
- SIGMA: Brazilian Military Weapons Management System
- SMA: Uruguayan Army's Material and Weapons Service
- Taurus: Brazilian weapons manufacturer
- THATA: Uruguayan License for the Acquisition and Possession of Firearms
- UN: United Nations
- UNDP: United Nations Development Program
- UNODC: United Nations Office on Drugs and Crime
- UNRILEC: United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean
- USA: United States of America
- VWCP: Voluntary weapons collection program
- WHO: World Health Organization

Chapter 1: Introduction

According to the latest available data, Latin America hosts 43 of the 50 cities with the highest rates of homicide in the world (Igarapé Institute, 2017). Brazilian cities make up half of all cities in the ranking, partly due to the country's large population. Over 56 thousand homicides are committed throughout Brazil each year (FBSP, 2015; Waiselfisz, 2015b) and over 80 percent of Brazilians believe that they are at risk of being murdered (Muggah and Szabo de Carvalho, 2017). However, Brazilians are not the only Latin Americans¹ scared by lethal violence. In fact, Brazil's homicide rates only suppose the sixth highest in the region. National homicide rates in El Salvador, Honduras, Venezuela or Jamaica double, triple or quadruple Brazilian national murder rates (UNODC, 2017). Among cities, Caracas and San Salvador are some of the most extreme examples. With 120 and 137 murders per every 100 thousand inhabitants last year, their homicide rates are over 20 times higher than the global average (Igarapé Institute, 2017)

These numbers are the consequence of a dramatic increase in criminal violence in Latin America since the turn of the century, translating into more than one million deaths during the past decade alone (PNUD, 2013: V). At present, there are roughly 400 murders each day in the region, circa 140 thousand per year (Muggah and Szabo de Carvalho, 2017). Moreover, the regional homicide rates are increasing at a time when murders are declining virtually everywhere else (Geneva Declaration Secretariat, 2015). Despite the current crisis, such numbers are not a novelty. The region's recent history is particularly violent. Nonetheless, its current manifestation is more pluriform and democratic, subjecting not just the poor to the threat of violence, but all social groups and classes (Koonings and Kruijt, 1999). Understandably, most Latin Americans have become accustomed to a relentless perception of fear, frequently manifested in a collective psychosis regarding public security. As a result, it is fair to say that criminal violence defines the region at the moment and supposes the main public concern of its citizens (Lagos and Dammert, 2012; LAPOP, 2014).

Firearms are fundamental in the democratization of Latin American violence. They are not only the preferred weapon of choice to commit murders, but their use as murder weapons is more frequent than anywhere else. Between 2010 and 2015, firearms were the weapon of choice in around 50 per cent of all homicides worldwide² (Widmer and Pavesi, 2016). However, in Brazil and Central America, for instance, gun homicides correspond to at least 70 percent of the total (Geneva Declaration Secretariat, 2015). Their use in non-lethal forms of crime has drastically

¹ For the purposes of this study, Latin America will refer to the following geographical regions: South America, Central America, the Caribbean and Mexico.

² Even though Latin America is the region with the highest proportion of firearm homicides, the information on homicidal mechanisms in places such as Africa, Southern Asia or Southeast Asia is very scarce, which may result in under-reporting (Bhalla et al., 2012; Geneva Declaration Secretariat, 2015; UNODC, 2014: 99–108).

increased as well in recent decades (PNUD, 2013: 30), as insecurity and mistrust in state authorities favored a higher disposition to acquire them as instruments of self-defense.

Despite the risks posed by their general proliferation, public efforts to control their acquisition and use have been timid and without the desired results. In general, gun control is largely absent of the public and political debates in the region. In most countries, the specific issue is usually subsumed within general concerns over the public security crisis. In others, the issue gains public and political attention intermittently, mostly after episodes of extreme violence or high-profile acts of armed violence. Broadly speaking, gun control and the gun problematic are only rarely elevated to agenda status and can hardly adhere the public and media attention for long.

There are only very few exceptions in this regard. In Brazil, firearm control was a prominent topic of discussion for almost a decade (Dreyfus et al., 2003: 26). The issue gained unusual attention in the second half of the 1990s, when state and federal governments, legislators, advocacy groups and the mass media engaged in an intense and ongoing public debate in favor and against the possession of firearms by civilians (Pekny et al., 2015). Its inclusion in the political agenda led to the approval of the Law nº 10.826³ in 2003, which represented a paradigm shift on the matter. The so-called ‘Disarmament Statute’ became the most comprehensive gun control policy in national history and one of the most far-reaching in the world. Among other measures, it prohibited the carry of firearms and strongly discouraged their possession and use among civilians. The Statute’s most controversial issue was related to the legislator’s desire to implement a comprehensive ban on the sale of firearms to civilians throughout the country.

Apart from its regional exceptionality, the Brazilian case is especially interesting for various reasons. First, because such an ambitious and progressive policy was approved in one of the most violent countries in the world, with a socially conservative society and a thriving weapons industry. Second, because the comprehensive ban on gun sales to civilians was decided on a national referendum, an instrument which had never been used in Brazil since the transition to democracy in 1988 (ISER, 2006; Mota, 2006). This means that a specific security policy was put in the hands of the electorate, which in addition was not accustomed to direct forms of democracy. And if this was not enough, the result of the referendum contravened all expectations, which granted disarmament advocates an easy triumph. The ban was not authorized, resulting in a resounding defeat for its promoters (Anastasia et al., 2006).

The Brazilian case contrasts sharply with other cases in the region. The situation in Uruguay illustrates this divergence and is more in line with the regional pattern. Despite an important increase in homicides in recent years and being the most heavily armed country in Latin America (Karp, 2012; Morás and Trujillo, 2015), gun proliferation never really caught the attention of the

³ BRASIL: Law nº 10.826, December 22, 2003.

public nor managed to be at the center of the political debate (Evans, 2012: 3). Nonetheless, its low profile in the agenda did not deter gun control advocates from demanding stricter laws since the early 2000s. After almost a decade of indifference, their pressure for policy change was finally rewarded in 2014 with the approval of the Law n° 19.247⁴. Labelled the ‘Responsible Firearm Ownership Law’⁵ (RFOL), its legislative process went mostly unnoticed to the general public (López and Palummo, 2013: 50–51) and the legislator’s intentions could not be enforced until December 2016, when the RFOL’s regulation⁶ was finally sanctioned.

The first objective of the RFOL is to assemble and harmonize all the previous laws, decrees and memorandums that regulated gun control in recent decades. It also incorporated important novelties, such as a new institutional framework underlying firearm regulation, finally turning gun traffic into a penal offence, and delivering a new turn on the screw towards their stricter control. However, most changes were rather moderate and remained in a similar directional logic as its legal predecessors. Unlike the Disarmament Statute, which sought to discourage civilian gun possession and use, the RFOL is focused on deterring the illegitimate use of guns by criminals while respecting their legitimate use by law-abiding citizens. Due to these reasons, it is difficult to categorize the Uruguayan policy change as disruptive.

The contrast between these two cases raises a series of questions. If both countries experienced public security crises, why did the firearm control issue gain so much prominence in Brazil but went mostly unnoticed in Uruguay? Which political elements were responsible for such dissimilar developments and why did the outcomes vary substantially? How did the distinct initial conditions, political actors or institutional constraints influence such dissimilar results? Based on these cases, is it possible to draw generalizations regarding the chances of gun control initiatives in the public and political agendas of Latin America? What sort of political configurations promote gun policy alterations and of what kind?

These and other questions motivated our study, which pursues empirical and theoretical objectives. Among those of an empirical kind, the first is to provide explanations for the contrasting degree of prominence of the firearm control issue in the agendas of Brazil and Uruguay during the last decades, as well as for the policy decisions that resulted in the approval of the Disarmament Statute and the RFOL. The second empirical objective is to explain the substantial differences among both policy changes regarding their goals, instruments, time-scale, mode, scope and directional logic.

To explain these phenomena, we resorted to theories of the policy process and selected John Kingdon’s (1984, 1995) Multiple Streams Framework (MSF) as the most adequate for our

⁴ URUGUAY: Law n° 19.247, August 27, 2014.

⁵ “*Ley de Tenencia Responsable de Armas*” (URUGUAY - Ministerio del Interior, 2014).

⁶ URUGUAY: Decree 377/016, December 05, 2016.

purposes. The MSF is a theoretical lens that conceives agenda and policy changes as the combination of problems, solutions and political processes, brought together by the decisive action of policy entrepreneurs. We also try to go beyond the original framework and apply a number of theoretical modifications proposed by various scholars in recent years (Herweg et al., 2015; Knaggård, 2015, 2016; Zahariadis, 2003; Zohlnhöfer et al., 2016). In turn, the policy processes under study were analyzed using empirical evidence from different qualitative explanatory sources. These included the study of legal and legislative documents, academic literature and media reports, as well as the conduct of *in situ* interviews with the main actors of the policy changes.

This is the origin of the theoretical objectives of our study, which seek to contribute to the further development of the selected theoretical framework and to the public policy research agenda in Latin America. Policy studies are namely recent and relatively limited in the region. Besides, the MSF and its applied modifications were developed with Western democracies in mind and their explanatory capacity might not be the same in different contexts. We intended to do a critical use of them, assessing their capacity to explain agenda-setting and policy dynamics in developing countries. In this sense, Brazil and Uruguay supposed a dissimilar challenge, as both countries present distinct levels of development and vary significantly in size, complexity, and power. Their comparative analysis allowed to reach conclusions on conditions under which the selected theoretical framework and its applied extensions perform best. An information that, in turn, can shed light upon potential adjustments to further its theoretical development and applicability.

Following our objectives and results, our study aims to contribute to the studies on public policy, both empirically and theoretically. As already stated, our objects of study are the transformations in firearm control policies that took place in Brazil and Uruguay at the beginning of the 21st century. First, we intend to find out why and how firearm control policies changed in Brazil and Uruguay, and to do so from a public policy perspective. According to the literature review, no similar study has been made so far for either country, nor for any other country in the region.

Indeed, the proliferation of firearms in Latin America was not addressed by scholars until recently, when insecurity became one of the main public concerns. Political science has traditionally concentrated on armed conflicts and post-conflict situations (e.g.: Mazzei, 2009), leaving the study of crime and violence in peaceful contexts to criminologists and sociologists. The literature on firearms and armed violence is thus recent and concentrates a limited number of multidisciplinary scholars with highly empirical and technical research agendas⁷. In relation to

⁷ As a response to a major difficulty shared by all countries in the region, a first body of literature confronts the challenge of creating and improving the existing data and statistics on firearm possession and use (DerGhoughassian and Fleitas, 2007; Dreyfus and de Sousa Nascimento, 2005; Fleitas and Otamendi, 2007; Karp, 2007, 2012). Other authors go a step further and analyze the problem in relation to acts of armed violence, exploring firearm cultures (Agozino et al., 2009; César Fernandes and de Sousa Nascimento, 2007; Godnick et al., 2003; IELSUR, 2016; Mujica, 2012) or relating

our particular object of study, a handful of authors have critically analyzed the configuration and results of various firearm regulation policies in the region (Cawley, 2013; Dreyfus et al., 2003; Godnick and Vázquez, 2003a, 2003b; Parker, 2011; Santaella-Tenorio et al., 2016). These efforts come close to public policy analyses, in which the goal is to improve the rationality of policy decisions and define the best available policy instruments. Explanations or even descriptions of the trajectories of these policies have not been carried out so far.

Perhaps the most approximate effort to our purposes was done by DerGhougassian (2011), who uses securitization theories (Buzan et al., 1998) to explain the different visions that coexist in the Americas regarding the inclusion of firearm control in the international agenda. He concludes that levels of crime and violence were not a decisive factor in this regard. Instead, it would be rather the convergence of social mobilization and a supporting government that would promote a favorable position. This convergence could be found in various Latin American countries, but not in the USA, which would explain its refusal to regulate firearm-related activities at the international sphere. DerGhougassian frames his study within international relations studies and does not consider public policies nor agenda-setting processes at a national level. Nonetheless, national policies and international postures are often related, so it is highly likely that both processes present similarities.

Furthermore, the study of agenda-setting and policy decision making has been largely developed in the US and European contexts, and several authors have questioned the degree to which these ideas may be applied to political settings beyond the industrialized world (e.g.: Baumgartner et al., 2006). The MSF, in particular, works through a set of flexible and simple concepts that can be selectively applied to virtually any policymaking setting. However, this does not mean that it explains every policy decision equally well in all contexts (Jones et al., 2016). Moreover, some of the applied modifications of the MSF are cutting-edge and their applicability has not been evaluated in Latin America nor in developing countries.

In turn, policy studies have experienced a relatively strong expansion in Latin America in the last few decades, but they are still incipient in comparison to developed nations. According to Jones et al.'s (2016: 21–22) literature review, it is the region where the MSF has been least applied, even behind Africa and Asia. These conditions also apply to our case studies, partly due to the

statistics on gun possession with their use in the incidence of homicides (Gilgen, 2012; Sanjurjo, 2016a). Furthermore, its entrance in the public and institutional agendas of several countries has brought an increasing interest in knowing the results of implemented policies. Some authors evaluate specific national firearm control regulations (Cawley, 2013; Dreyfus et al., 2003; Godnick and Vázquez, 2003a, 2003b; Parker and Wilson, 2012; Santaella-Tenorio et al., 2016), while others evaluate the results of awareness campaigns and voluntary weapon collection programs (Fleitas, 2010; Godnick, 2010; Otamendi, 2011). Finally, various authors address regional firearm traffic (Aguirre, 2011; de León Escribano, 2011; Dreyfus and Marsh, 2006; Dreyfus and Rangel Bandeira, 2006; Godnick and Bustamante, 2013) and the origin and type of firearms used to commit crimes (Dreyfus, 2007; Schroeder, 2013; SUCAMEC, 2014).

late development of the sub-discipline. While in the USA public policy as a field of research dates back to the 1950s, its consolidation in Brazil occurred in the 1990s and the study of agenda-setting and policy formation did not start until the mid-2000s (Capella and Brasil, 2016: 84). The public policy research agenda followed a similar pattern in Uruguay, only even more delayed. In fact, Uruguayan political science was just taking off in the 1990s (Buquet, 2012; Garcé and Rocha, 2015) and the institutionalization of public policy as a sub discipline would not occur until 2009. It is no surprise that its consolidation is yet to be completed (Bentancur and Mancebo, 2013; Rocha, 2012: 104).

Since then, academic works in both countries have experienced a rapid expansion of writings and case studies, but the existing literature reviews suggest that the study of policy processes is still fairly limited. Besides, the public policy literature usually faces a series of challenges that also apply to the study of policy processes and to the specific use of the Multiple Streams Framework. Among others, the low utilization of recent foreign literature, low methodological rigor, a strong normative bias, disregard for previous research efforts, and thematic dispersion (Bentancur and Mancebo, 2013; Capella et al., 2014; Capella and Brasil, 2015, 2016; Farah, 2013; Garcé and Rocha, 2015; Rocha, 2012).

To help ameliorate these deficits and achieve our objectives, the study is arranged as follows. After the *Spanish-language introductory chapter*⁸, the *second chapter* will address the methodological approach of our research. While the first section introduces our research objectives, research questions and hypotheses, the second section presents the research design of our study. The last section discusses the selection of our case studies, Brazil and Uruguay.

The *third chapter* is intended to work as an introduction to the relevance of the gun problematic and of gun control policies. To that end, it first provides an in-depth analysis of the context of armed violence in the region, as well as of the incidence of civilian firearms in the murder epidemic. This diagnosis will be followed by a discussion on the relationship between states and armed citizens in the region, assessing the role that the latter play in the governance of security. Based on these analyses, the studied policy changes are put into context by addressing the securitization of firearms. The chapter ends by discussing the policy instruments and procedures that usually conform gun control policies and that led the way for the policy changes under study.

The conceptual framework is addressed in the *fourth chapter*. The first sections discuss the concepts and beliefs that have informed explanations about the policy process in the public policy literature. This includes the current knowledge and theoretical contributions on the agenda-setting process, the development of alternatives, and policy decision making. The following sections

⁸ We have requested the 'International Mention' for the present thesis. Among the requirements for such a distinction is the inclusion of the introduction and conclusions in the English and Spanish language. For this reason, both chapters will be followed by literary translations into Spanish.

address and compare the specific conceptual tools that are used to understand and explain the causal mechanics that account for policy trajectories and change. The focus is set on the three most prominent synthetic or multidimensional theories of the policy process: The Multiple Streams Framework (MSF), the Punctuated Equilibrium Theory (PET) and the Advocacy Coalition Framework (ACF). Their comparative analysis results in the convenience of adopting the MSF as the theoretical framework of our research.

Using empirical evidence from various qualitative sources, *chapters five and six* apply a modified version of the MSF to analyze the policy processes that led to the approval of the 2003 Disarmament Statute in Brazil and the 2014 Responsible Firearm Ownership Law in Uruguay. For ease of comparison, each chapter follows the same structure. In each case, the first sections present a general overview of the country, putting special emphasis on the political system and security situation. The second sections present a historical overview of the country's firearm legislation. Following are the empirical analyses, which are structured according to the approach of the MSF (Kingdon, 1995), taking into consideration the modifications proposed by Knaggård (2015, 2016), Zahariadis (2003, 2005), Herweg et al. (2015) and Zohlnhöfer et al. (2016). Each case study ends with a summary and conclusions.

Chapter seven reviews both case studies from a comparative perspective. The first goal of this section is to analyze their differences and similarities to explain which factors account for the dissimilar policy outcomes. The second goal is to discuss the possibility of drawing generalizations that can inform about other gun policy processes in Latin America. At last, the comparison allows to analyze the suitability of the selected theoretical framework and its modifications to explain agenda and policy changes in the region, especially when dealing with such dissimilar case studies.

Finally, our study ends with general conclusions in English and Spanish (*chapter eight*), bibliography (*chapter nine*) and an annex (*chapter ten*).

Introducción

Según los últimos datos disponibles, América Latina alberga 43 de las 50 ciudades con las mayores tasas de homicidio del mundo (Igarapé Institute, 2017). La mitad de las ciudades incluidas en el ranking son brasileñas, en parte debido a la gran población del país. Más de 56 mil homicidios se cometen diariamente en Brasil (FBSP, 2015; Waiselfisz, 2015b) y más del 80 por ciento de la población cree estar en riesgo de ser asesinada (Muggah and Szabo de Carvalho, 2017). No obstante, los brasileños no son los únicos latinoamericanos⁹ atemorizados por la violencia letal. De hecho, la tasa nacional de homicidios de Brasil es solo la sexta más alta de la región. Las tasas de El Salvador, Honduras, Venezuela o Jamaica la duplican, triplican o incluso cuadruplican (UNODC, 2017). Entre las ciudades, Caracas y San Salvador son algunos de los ejemplos más extremos. Con 120 y 137 asesinatos por cada 100 mil habitantes, respectivamente, sus cifras superan más de 20 veces el promedio global (Igarapé Institute, 2017).

Estas cifras son la consecuencia de un drástico aumento de la violencia criminal en América Latina desde comienzos de siglo, lo que se tradujo en más de un millón de muertes en apenas la pasada década (PNUD, 2013: V). Hoy ocurren alrededor de 400 asesinatos por día, cerca de 140 mil por año (Muggah and Szabo de Carvalho, 2017). Resulta interesante constatar que las tasas homicidio de la región se incrementan en un momento en que los asesinatos en el resto del mundo se reducen (Geneva Declaration Secretariat, 2015). A pesar de la crisis, no puede hablarse de niveles inéditos de violencia, ya que la historia reciente de la región es particularmente violenta. Lo novedoso es que las actuales manifestaciones son más plurales y democráticas, dado que amenazan ya no solo a los pobres, sino a todas las clases y grupos sociales (Koonings and Kruijt, 1999). Comprensiblemente, la mayoría de los latinoamericanos se ha acostumbrado a vivir bajo un miedo constante, que frecuentemente se manifiesta en una psicosis colectiva respecto a la seguridad pública. Por consiguiente, no es exagerado afirmar que la violencia criminal define actualmente a la región y supone la principal preocupación de sus habitantes (Lagos and Dammert, 2012; LAPOP, 2014).

Las armas de fuego tienen un papel fundamental en la democratización de la violencia latinoamericana. No solo son el arma homicida preferida en la región, sino que su uso para cometer asesinatos es más frecuente que en ninguna otra región del mundo. Entre 2010 y 2015, cerca del 50 por ciento de los homicidios a nivel mundial fueron cometidos con armas de fuego¹⁰ (Widmer and Pavesi, 2016). En Brasil y América Central, en cambio, los homicidios con armas de fuego supusieron más del 70 por ciento del total (Geneva Declaration Secretariat, 2015). Su

⁹ Para los propósitos de este estudio, América Latina hace referencia a las siguientes regiones geográficas y territorios: América del Sur, América Central, el Caribe y México.

¹⁰ Aunque América Latina es la región que presenta los mayores porcentajes de homicidios cometidos con armas de fuego, la información sobre mecanismos homicidas en África, Asia o el Sudeste Asiático es muy limitada debido a la ausencia de registros fiables (Bhalla et al., 2012; UNODC, 2014: 99–108).

uso en crímenes no-letales también aumentó drásticamente en las últimas décadas (PNUD, 2013: 30), a la vez que la inseguridad y la desconfianza en las autoridades favorecieron una mayor disposición a adquirirlas como instrumento de defensa personal.

A pesar de los riesgos que plantea su proliferación, los esfuerzos públicos por controlar su adquisición y uso han sido tímidos y no han tenido los resultados esperados. En general, el control de armas de fuego suele estar ausente de los debates públicos y políticos de la región. En la mayor parte de los países, el asunto concreto continúa subsumido dentro de las preocupaciones generales por la crisis de seguridad ciudadana. En otros, el tema adquiere interés público y político de forma intermitente, sobre todo cuando suceden episodios de violencia extrema o de gran repercusión mediática. En líneas generales, puede decirse que el tema de la proliferación y del control de armas de fuego solo ingresa en la agenda política raramente y no consigue atraer la atención pública y mediática por mucho tiempo.

Hay pocos países que se apartan de este patrón. En Brasil, el control de armas de fuego fue un tema de discusión destacado durante casi una década (Dreyfus et al., 2003: 26). El asunto adquirió una relevancia inusual a finales de los años noventa, cuando gobiernos federales y estatales, legisladores, grupos de presión y medios de comunicación se enzarzaron en un intenso debate público a favor y en contra de la posesión de armas por parte de civiles (Pekny et al., 2015). Su ingreso a la agenda política llevó a la aprobación de la Ley nº 10.826¹¹ en 2003, la cual representó un cambio de paradigma en la materia. El llamado ‘Estatuto del Desarme’ se convirtió en la política de control de armas más integral de la historia del país y en una de las de mayor alcance del mundo. Entre otros aspectos, prohíbe el porte de armas y desincentiva su adquisición y uso por parte de civiles. El elemento más controvertido del Estatuto estaba relacionado al deseo de los legisladores de implementar una prohibición integral a la venta de armas a civiles en todo el territorio nacional.

Más allá de su excepcionalidad en la región, el caso brasileño es de especial interés por varias razones. En primer lugar, porque una política tan ambiciosa y progresiva fue aprobada en uno de los países más violentos del mundo, con una sociedad tradicionalmente conservadora en aspectos sociales y con una pujante industria armamentista. En segundo lugar, porque la prohibición a la venta de armas a civiles fue decidida en un referéndum nacional, un instrumento nunca antes usado en el país desde la transición democrática en 1988 (ISER, 2006; Mota, 2006). En otras palabras, una política de seguridad específica fue puesta en manos del electorado, el que además no estaba acostumbrado a mecanismos de democracia directa. Por si ello no fuera suficiente, el resultado del referéndum contravino las expectativas que preveían una holgada victoria de los

¹¹ BRASIL: Ley nº 10.826, 22 de diciembre, 2003.

partidarios del desarme. La prohibición acabó no siendo autorizada y sus promotores debieron aceptar la dura derrota.

El caso brasileño contrasta fuertemente con otros países de la región. La situación en Uruguay ilustra tal divergencia y coincide más con la mayoría de los países vecinos. A pesar de sufrir un importante aumento de los homicidios en los últimos años y de ser el país más fuertemente armado de América Latina (Karp, 2012; Morás and Trujillo, 2015), en Uruguay la proliferación de armas nunca atrajo la atención pública ni ha ocupado una posición central en el debate político (Evans, 2012: 3). Pese a ello, partidarios de un mayor control de armas pasaron a exigir leyes más severas desde comienzos de la década del 2000. Tras casi diez años de indiferencia, su insistencia se vio finalmente recompensada en 2014 con la aprobación de la Ley n° 19.247¹². El proceso legislativo de la también llamada “Ley de Tenencia Responsable de Armas”¹³ (RFOL, por sus siglas en inglés) pasó mayormente desapercibido para la opinión pública (López and Palummo, 2013: 50–51) y sus pautas no pudieron ser cumplidas hasta 2016, año en que se aprobó finalmente su regulación¹⁴.

El primer objetivo de la RFOL consiste en unificar y armonizar un conjunto de leyes, decretos y memorándums que regulaban el control de armas en las últimas décadas. También incorpora novedades importantes, como un nuevo marco institucional para el control de armas de fuego, la definición del tráfico de armas como ofensa penal, así como mayores restricciones a su adquisición por parte de civiles. No obstante, la mayoría de los cambios fueron moderados y mantuvieron una lógica direccional similar a la de sus antecedentes legales. A diferencia del Estatuto del Desarme, que buscaba desalentar la posesión y el uso generalizado de armas por parte de civiles, la RFOL está enfocada en disuadir su uso ilegítimo por parte de criminales, en tanto respeta su utilización legítima por parte de ciudadanos respetuosos de la Ley. Por estas razones resulta problemático calificar de disruptivo el cambio de políticas públicas uruguayo.

El contraste entre estos dos casos plantea una serie de preguntas. Si ambos países experimentaban crisis de seguridad pública, entonces ¿por qué el problema de las armas de fuego adquirió tanta notoriedad en Brasil, pero pasó mayormente desapercibido en Uruguay? ¿Qué componentes políticos fueron responsables de sendos desarrollos y resultados tan disímiles? ¿De qué manera influyeron en estas desigualdades las condiciones iniciales, los actores políticos y las limitaciones institucionales de cada contexto político? Sobre la base de estos casos, ¿es posible inferir conclusiones generales sobre las posibilidades de las iniciativas de control de armas en América Latina? ¿Qué variables o configuraciones políticas promueven alteraciones en materia de políticas de armas, y de qué tipo?

¹² URUGUAY: Ley n° 19.247, 27 de agosto, 2014.

¹³ “*Ley de Tenencia Responsable de Armas*” (URUGUAY - Ministerio del Interior, 2014).

¹⁴ URUGUAY: Decreto 377/016, 05 de diciembre, 2016.

Estas y otras preguntas similares motivaron la realización de nuestro estudio, que persigue objetivos tanto empíricos como teóricos. Entre los empíricos, el primero es proporcionar explicaciones para la distinta relevancia del control de armas en las agendas de Brasil y Uruguay durante las últimas décadas, así como también para los procesos de toma de decisiones públicas que resultaron en la aprobación del Estatuto del Desarme y de la RFOL. El segundo objetivo empírico radica en explicar las diferencias sustanciales entre estos cambios de políticas, en lo relativo a sus escalas de tiempo, pautas, alcances y lógicas direccionales.

Por su parte, los objetivos teóricos se refieren a la reflexión y la generación de conocimiento sobre los marcos de análisis existentes para explicar la formación de las agendas de los gobiernos y los cambios en las políticas públicas. Para explicar estos fenómenos, recurrimos a teorías del proceso de políticas públicas y seleccionamos el llamado marco de corrientes múltiples (MSF, por sus siglas en inglés: '*Multiple Streams Framework*') de John Kingdon (1984, 1995) como el marco teórico más indicado para nuestros propósitos. Sin embargo, fuimos más allá del marco teórico original y adoptamos una serie de modificaciones teóricas de distinto alcance, propuestas por varios académicos en los últimos años (Herweg et al., 2015; Knaggård, 2015, 2016; Zahariadis, 2003; Zohlnhöfer et al., 2016). A su vez, analizamos los procesos políticos utilizando evidencia empírica de diferentes fuentes cualitativas. Estas incluyeron el estudio de documentos legales y legislativos, literatura científica y reportes periodísticos, así como la realización de entrevistas *in situ* con los actores más importantes de las dinámicas estudiadas.

De esta manera, pretendemos realizar un aporte al desarrollo del marco teórico seleccionado y al de la agenda de investigación de políticas públicas en América Latina. El estudio de las políticas públicas en la región es ciertamente reciente y limitado. Además, el MSF y las revisiones aplicadas fueron diseñados teniendo en mente las democracias occidentales, por lo que su capacidad explicativa puede no ser la misma en otros contextos políticos. Nos propusimos hacer un uso crítico de estos instrumentos conceptuales, en tanto evaluamos su capacidad para explicar la construcción de la agenda y las dinámicas de las políticas públicas en países en desarrollo. En este sentido, el análisis comparado de Brasil y Uruguay supone un desafío adicional, debido a que son países que difieren considerablemente en sus dimensiones, nivel de desarrollo, complejidad y poder. El análisis comparado de ambos permitió alcanzar conclusiones sobre las condiciones en las que el MSF funciona mejor. Una información que, a su vez, permitiría sugerir modificaciones adicionales que incrementen su aplicabilidad y capacidad explicativa.

A partir de estos objetivos y sus resultados, la investigación aspira a hacer una contribución original al estudio de las políticas públicas, tanto desde un punto de vista empírico como teórico. Como ya se mencionó, nuestros objetos de estudio son las transformaciones en materia de políticas de control de armas ocurridas en Brasil y Uruguay a comienzos del siglo XXI. Nos proponemos, en primer lugar, averiguar cómo y por qué cambiaron estas políticas en estos países,

y utilizamos para ello una perspectiva de políticas públicas. Según la literatura revisada, hasta la fecha no se ha realizado ningún esfuerzo similar para estos países ni para otros países de la región.

En efecto, la proliferación de armas de fuego en América Latina no fue abordada por la academia sino hasta hace relativamente poco, cuando la inseguridad se tornó una de las principales preocupaciones ciudadanas. Tradicionalmente, la ciencia política se concentró en el estudio de conflictos armados y situaciones de post-conflicto (e.g.: Mazzei, 2009), dejando en manos de sociólogos y criminólogos el estudio del crimen y la violencia en contextos de paz. En consecuencia, la literatura sobre armas de fuego y violencia armada es reciente y concentra a un número limitado de académicos de distintas disciplinas con agendas de investigación casi exclusivamente empíricas y técnicas¹⁵. En relación a nuestro particular objeto de investigación, tan solo unos pocos estudios han analizado críticamente la configuración y resultados de diferentes políticas de control de armas en la región (Cawley, 2013; Dreyfus et al., 2003; Godnick and Vázquez, 2003a, 2003b; Parker, 2011; Santaella-Tenorio et al., 2016). Se trata de esfuerzos con un enfoque aplicado o de *policy analysis*, que pretenden incrementar la racionalidad de las decisiones públicas y definir los mejores instrumentos disponibles. Así, hasta el momento no se han realizado aportaciones con un enfoque más teórico o de *policy studies*, intentando producir explicaciones de las trayectorias de estas políticas.

Quizás el esfuerzo más cercano a nuestros fines sea el realizado por DerGhoughassian (2011), quien hace uso de las teorías de securitización (Buzan et al., 1998) para explicar las diferentes visiones que coexisten en las Américas sobre la inclusión del control de armas en la agenda internacional. El autor concluye que los niveles de criminalidad y violencia no son un factor decisivo en este sentido, sino que sería la convergencia entre movilización social y gobiernos receptivos lo que promovería una posición favorable. Convergencias de este tipo podrían encontrarse en varios países de América latina, pero no en EEUU, lo que explicaría el rechazo de este país a regular las actividades relacionadas a las armas de fuego a nivel internacional. DerGhoughassian enmarca su estudio en las relaciones internacionales y no considera las políticas

¹⁵ Como respuesta a una problemática compartida por todos los países de América Latina, un primer conjunto de autores confronta el desafío de crear y mejorar los datos y estadísticas existentes sobre posesión y uso de armas de fuego (DerGhoughassian and Fleitas, 2007; Dreyfus and de Sousa Nascimento, 2005; Fleitas and Otamendi, 2007; Karp, 2007, 2012; Morás and Trujillo, 2015). Otros autores van un paso más allá y analizan esta problemática en relación a la violencia armada, explorando las culturas de armas de fuego en la región (Agozino et al., 2009; César Fernandes and de Sousa Nascimento, 2007; Godnick et al., 2003; IELSUR, 2016; Mujica, 2012) o vinculando las estadísticas de su posesión y uso con los índices de homicidio (Gilgen, 2012; Sanjurjo, 2016a). Asimismo, su mayor presencia en las agendas políticas e institucionales de algunos países produjo un interés por evaluar los resultados de las políticas implementadas (Cawley, 2013; Dreyfus et al., 2003; Godnick and Vázquez, 2003a, 2003b; Parker and Wilson, 2012; Santaella-Tenorio et al., 2016), así como también los resultados de las campañas de concientización y de los programas de recolección de armas (Fleitas, 2010; Godnick, 2010; Otamendi, 2011). Finalmente, varios autores abordan el tráfico de armas de fuego en la región (Aguirre, 2011; de León Escribano, 2011; Dreyfus and Marsh, 2006; Dreyfus and Rangel Bandeira, 2006; Godnick and Bustamante, 2013) y el origen y tipo de armas utilizadas para cometer crímenes (Dreyfus, 2007; Schroeder, 2013; SUCAMEC, 2014).

públicas ni la conformación de la agenda a escala país. No obstante, las políticas nacionales y las posturas internacionales están muchas veces relacionadas, por lo que es probable que se presenten similitudes entre ambos procesos.

Por otra parte, el estudio de la conformación de la agenda y de la toma de decisiones públicas ha sido desarrollado en gran medida en EEUU y Europa, y varios autores han cuestionado hasta qué punto sus ideas pueden ser aplicadas más allá del mundo industrializado (e.g.: Baumgartner et al., 2006). En concreto, el MSF se nutre de un conjunto de conceptos simples y flexibles, que pueden aplicarse selectivamente en prácticamente cualquier escenario de elaboración de políticas públicas. No obstante, ello no significa que explique con resultados igualmente satisfactorios las decisiones públicas en otros contextos (Jones et al., 2016). Asimismo, algunas de las modificaciones del MSF que aplicamos son recientes y su rendimiento no ha sido evaluado en América Latina ni en países en desarrollo.

A su vez, si bien el estudio de las políticas públicas experimentó una fuerte expansión en América Latina en las últimas décadas, sigue siendo incipiente en comparación con los países desarrollados. Según la revisión de la literatura de Jones et al. (2016: 21–22), se trata de la región en la cual el MSF ha sido menos aplicado, incluso por detrás de África y Asia. Estas condiciones aplican también a nuestros casos de estudio, en parte debido al desarrollo tardío de la sub-disciplina. Mientras en EEUU la sub-disciplina de las políticas públicas se remonta a la década de 1950, su consolidación en Brasil ocurrió en los años noventa, mientras el estudio de la conformación de la agenda y de las decisiones públicas no se dio hasta bien entrada la década del 2000 (Capella and Brasil, 2016: 84). En Uruguay, la agenda de investigación siguió un camino similar, pero aún más tardío. De hecho, la ciencia política uruguaya recién estaba dando sus primeros pasos en la década de 1990 (Buquet, 2012; Garcé and Rocha, 2015) y la propia institucionalización de la sub-disciplina no ocurriría hasta 2009. Por tanto, no sorprende que su consolidación esté aún por completarse (Bentancur and Mancebo, 2013; Rocha, 2012: 104).

Aunque desde entonces se registra en ambos países una rápida expansión de análisis y estudios de caso, las revisiones de la literatura existentes sugieren que el estudio de los procesos de políticas públicas sigue siendo considerablemente limitado. Además, el estudio de la sub-disciplina suele enfrentarse a una serie de desafíos que también son válidos para el estudio de los procesos de políticas públicas y al uso específico del MSF. Ellos son, entre otros, la poca utilización de literatura extranjera reciente, el bajo rigor metodológico, los fuertes sesgos normativos, la desatención a los estudios previos, así como una significativa dispersión temática (Bentancur and Mancebo, 2013; Capella et al., 2014; Capella and Brasil, 2015, 2016; Farah, 2013; Garcé and Rocha, 2015; Rocha, 2012).

Con el fin de contribuir a corregir estos déficits y alcanzar nuestros objetivos, la presente investigación se organiza como sigue: el próximo capítulo presenta el enfoque metodológico de nuestro estudio. Mientras que la primera sección presenta los objetivos de investigación, las preguntas de investigación y las hipótesis, la segunda sección discute el diseño de investigación del estudio. La sección final aborda la justificación de los casos de estudio.

El tercer capítulo pretende ser una introducción a la relevancia de la problemática de las armas de fuego y de las políticas que buscan su control. Para ello, se realiza primero un análisis en profundidad del contexto de violencia armada en América Latina, así como de la incidencia de las armas de fuego civiles en la actual epidemia de asesinatos. A este diagnóstico sigue una discusión sobre la relación existente en los países de la región entre el Estado y los ciudadanos armados, evaluando el rol que los últimos juegan en la gobernanza de la seguridad. A partir de estos análisis, se ponen en contexto los cambios en las políticas estudiadas, analizando el proceso de securitización de las armas de fuego. El capítulo termina discutiendo los instrumentos y procedimientos de la acción pública que suelen formar parte del control de armas y que sirvieron de inspiración para los cambios de políticas estudiados.

El marco conceptual es abordado en el *cuarto capítulo*. La primera sección discute los conceptos y presunciones que han informado las explicaciones sobre los procesos de políticas públicas en la literatura. Ello incluye los actuales conocimientos y contribuciones teóricas sobre la construcción de la agenda, el desarrollo de alternativas y la toma de decisiones. Las siguientes secciones analizan y comparan las herramientas utilizadas para comprender y explicar los mecanismos causales que dan cuenta de las trayectorias de las políticas y sus cambios. El foco está puesto sobre los tres enfoques sintéticos o multidimensionales más prominentes para el estudio de los procesos de políticas públicas: el marco de corrientes múltiples (MSF), la teoría del equilibrio puntuado (PET, por sus siglas en inglés) y el marco de las corrientes promotoras (ACF, por sus siglas en inglés). Su análisis comparativo resulta en la conveniencia de adoptar el MSF como el marco teórico de nuestra investigación.

Haciendo uso de evidencia empírica cualitativa, los *capítulos cinco y seis* aplican una versión modificada del MSF para analizar los procesos de políticas públicas que derivaron en la aprobación del Estatuto del Desarme de 2003 en Brasil y del RFOL de 2014 en Uruguay. Para facilitar la comparación, cada capítulo sigue la misma estructura. En cada caso, la primera sección presenta una descripción general del país, poniendo especial énfasis en su sistema político y su situación de seguridad. La segunda sección realiza un recorrido histórico de la legislación nacional en materia de control de armas. A continuación se presentan los análisis empíricos, que siguen el enfoque del MSF (Kingdon, 1995), teniendo en cuenta las modificaciones propuestas por Knaggård (2015, 2016), Zahariadis (2003, 2005), Herweg et al. (2015) y Zohlnhöfer et al. (2016). Cada caso de estudio culmina con un resumen y conclusiones.

El *capítulo siete* revisa ambos casos de estudio desde una perspectiva comparada. El primer objetivo de esta comparación es analizar sus diferencias y similitudes para explicar qué factores justifican los distintos resultados. El segundo objetivo es discutir si es posible hacer generalizaciones que puedan informar sobre otros procesos de políticas de control de armas en América Latina. Por último, la comparación permite analizar la idoneidad del MSF y sus modificaciones para explicar los cambios en la agenda y en las políticas públicas de la región, sobre todo al estar evaluando casos de estudio tan diferentes.

Finalmente, nuestro estudio termina con conclusiones generales en inglés y en español (*capítulo ocho*), bibliografía (*capítulo nueve*) y el anexo (*capítulo diez*).

Chapter 2: Methodological Approach

2.1 Research objectives, questions and hypotheses

Our research pursues two specific *research objectives*. The first is to provide explanations for three distinct policy phenomena: To explain why and how the firearm control issue entered the agendas of Brazil and Uruguay in the last decade; To explain why and how the policy changes that followed occurred. Lastly, to explain why and how these policies vary across countries.

To explain these phenomena, we resort to theories of the policy process, a term that condenses agenda-setting, the development of alternatives, and policy decision making. Applied is John Kingdon's (1995) theoretical framework –the “Multiple Streams Framework” (MSF)–, because of its capacity to analyze the dynamics surrounding agenda-setting, policy change and variation. Furthermore, its suitability will be assessed incorporating extensions and modifications proposed by various scholars in recent years (Herweg et al., 2015; Knaggård, 2015, 2016; Zahariadis, 2003; Zohlnhöfer et al., 2016) and analyzing empirical evidence from different qualitative explanatory sources. These include the study of legislative documents, academic literature and media reports, as well as the conduct of *in situ* interviews with protagonists of the specific policy processes.

The event that will be analyzed is the prominence of the firearm control issue in the agendas of both countries, as well as the policy decisions regarding the approval of the Disarmament Statute in Brazil in 2003 and the Responsible Firearms Ownership Law in Uruguay in 2014. Among the explanatory factors for agenda-setting and legislative reform are crime and armed violence indicators, firearm proliferation and use in crime, firearm culture and tradition, related socioeconomic indicators, institutional dynamics and constraints, the political environment, the presence of policy experts and interest groups in favor or against policy change, and their influence in policy decision-making. The Multiple Streams Framework will work as a roadmap in this regard, suggesting which variables or explanatory factors to look for and observe.

The second research objective consists on the evaluation of the capacity of the selected theoretical framework to explain agenda-setting and policy formation in Latin America. As will be discussed later, policy studies are recent and relatively limited in the region, as is the application of the MSF. Hence, we aim to make an original contribution to its empirical verification in the region and in developing countries. Further on, we are going beyond the original framework (Kingdon, 1995), applying a number of theoretical modifications proposed by various scholars in recent years (Herweg et al., 2015; Knaggård, 2015, 2016; Zahariadis, 2003; Zohlnhöfer et al., 2016). The MSF and its revisions were developed with Western democracies in mind and their explanatory capacity might not be the same in different contexts. We intend to do a critical

assessment of them, beyond deepening our understandings of the policy formation processes in Latin America.

The research objectives introduce a series of *research questions*, which differ in their nature and focus. While a first group addresses concerns regarding our empirical case studies, a second group deals with theoretical issues.

1. Empirical research questions

- 1.1. Firearm control and agenda-setting: Why did firearm control gain so much prominence in Brazil but went mostly unnoticed in Uruguay?*
- 1.2. Firearm control and policy formation: Why were the policy outputs of the Brazilian Disarmament Statute and the Uruguayan RFOL so substantially different?*

The first empirical research question is related to the absence of the firearm control issue in the public and political agendas of Latin America, to which Brazil seems to be the only notorious exception. The issue gained attention in Brazil in the second half of the 1990s, when social movements, advocacy groups and the mass media engaged in an intense and ongoing public debate in favor and against the possession of firearms by civilians. This contrasts sharply with the situation in Uruguay, which follows the general pattern in the region. In spite of being the most heavily armed country in Latin America, public and political attention to the issue has been scarce and policy changes went mostly unnoticed.

The agenda-setting literature deals with this type of phenomena. Agenda-setting is the process by which issues gain or lose public and elite attention, are constructed, defined and set out on the list of items for governmental action. Our object of study is thus the development of agenda-setting in the security and firearm control policy fields, including the ways in which the problem is constructed and defined.

The second empirical research question deals with the policy changes that occurred in both case studies from the moment the firearm control issue entered the decisional agendas. Policy changes happened in both countries, but the processes varied substantially. The Disarmament Statute was approved after President Lula da Silva's accession to power in 2003 and involved an actual paradigm change regarding gun control policies. The most notorious of its measures was a nationwide ban on the sale of firearms to civilians, to be decided on a public referendum. The prohibition did not obtain the necessary votes, but all other components of the Law remained in place. It was a swift and paradigmatic policy change that included ambitious goals and instruments. Conversely, the Uruguayan Responsible Firearm Ownership Law was sanctioned a decade later, in 2014, and was partly the outcome of a political stalemate that took years to reach

a consensus. The RFOI included stricter gun control measures and the aggravation of all related penalties. Its sanction went mostly unnoticed to the general public, which did not prevent its implementation to come to a halt. The regulation of this incremental policy was only approved at the end of 2016.

2. Theoretical research questions

- 2.1. Is the selected theoretical framework (the MSF and its recent modifications) capable and suited to explain agenda-setting and policy formation in the Latin American context?*
- 2.2. What adjustments –if any- could be made to the MSF to improve its applicability to the Latin American context?*

The last set of research questions arise from concerns that were outlined in the former sections. On the one hand, the Multiple Streams Framework was developed in the US context and its explanatory capacity is not the same in every environment. On the other hand, the study of policy formation in Latin America is fairly recent and limited. That is why, beyond explaining the empirical phenomena, we want to assess the capacity of the MSF to generate knowledge of policy processes in the Latin American gun policy field. The differences and similarities between policy processes in Western countries and in Latin America, as well as between those in a large federative country like Brazil and a small and centralized country like Uruguay, are likely to lead to conclusions on conditions under which the MSF performs best. A source of information that, in turn, might throw light upon potential adjustments to its methodology to further its theoretical development and applicability.

Regarding possible *hypotheses*, one frequent criticism to the MSF is that its falsification is hardly possible, partly due to the lack of testable hypotheses of the original model (Mucciaroni, 2013: 321; Sabatier, 2007a: 327). This is not an insurmountable difficulty, but it is a limitation that obstructs the possibility of decisively proving its applicability. We will discuss its implications in depth in the theoretical framework chapter. At this point, suffice it to say that we will try to surpass this obstacle by proposing hypotheses that take into consideration the fundamental premises of the MSF, but also our prior knowledge of the firearm control issue and the policy processes under study. The following hypotheses will also acknowledge that this theoretical framework conceives agenda-setting and policy change in probabilistic terms.

Hypothesis 1: Firearm control and agenda-setting:

The dissimilar prominence of firearm control in the public and political agendas of Brazil and Uruguay was congruent with the premises of the MSF. A disruptive agenda change is more likely:

- during a public security crisis with high levels of firearm violence;
- if it follows the development of a local research agenda on firearm violence and control, and if firearm control proposals meet the criteria of survival of a policy community with low levels of fragmentation;
- if firearm control is congruent with public opinion, enjoys interest group support and is in line with the orientations of the government.

Hypothesis 2: Firearm control and policy change

The approval of both firearm control policies was the successful outcome of negotiations with veto actors. A disruptive policy change is more likely if

- it is preceded by a disruptive agenda change;
- the number of veto-actors is low, and the government places effective pressure over legislators;

Hypothesis 3: MSF's applicability in Latin America

- The structural features of the MSF are universal, in the sense that they are flexible enough to be applied to nearly any place, time, or policy. Therefore, we anticipate that the MSF and the considered modifications can successfully explain the agenda-setting and policy formation processes under study;
- However, these conceptual tools were developed with Western democracies in mind and political problems, actors and institutions vary greatly between political systems and specially so between developed and developing countries. For that reason, we also anticipate that their explanatory capacity might be less satisfying than usual, lending themselves to adjustments that might improve their applicability.

The next section will address the research design of our study.

2.2 Research design

This investigation adopts a qualitative research approach, which describes a set of non-statistical inquiry techniques and processes to gather data about social phenomena¹⁶ (Sadovnik, 2007; Sofaer, 1999; Yin, 2011). Moreover, we select a qualitative research strategy of an explanatory kind, as categorized by McNabb (2009: 227). Explanatory research is analogous to exploratory research in quantitative studies, and is usually conducted in qualitative studies to gain insights and ideas about a study problem, as well as to develop explanations to social phenomena. This is research that gathers, accesses or generates data by interviewing, observing -with whatever degree of participation- and analyzing internal and external documents.

While the use of qualitative approaches in policy research is not new, methodological circles have seen a great amount of contention between quantitative and qualitative researchers, who claimed supremacy over another and pointed out the strengths and weaknesses of each methodology (Creswell, 2014; McNabb, 2009). On their use in policy studies, qualitative research has been criticized for not being generalizable, objective, structured akin to experimental conditions, replicative or voiceless. And indeed, the standard utilization of quantitative criteria for ensuring validity and reliability is not possible in qualitative research. However, a well-designed qualitative study can perform just as good as a well-designed quantitative study, albeit from a different epistemological perspective. Among others, qualitative research methods are best to provide contexts and rich descriptions of complex phenomena, explain unique or unexpected

¹⁶ We agree with Maxwell (2013: 43) and Creswell (2014: 5) in the need of making explicit the larger philosophical ideas that we espouse. In order to answer and verify the raised research questions and hypothesis, this policy studies investigation departs from a post-positivist paradigm or worldview (e.g.: Birkland, 2005; Stone, 2011). As depicted by McNabb (2009: 15–28), such a paradigm rejects the search for objective, value-free and universal knowledge that is more common to the rationalist, positivist and behavioralist traditions in policy studies (e.g.: Johnson and Reynolds, 2012; Weimer and Vining, 2010). Instead, we assume a political reality that is socially constructed and in which objective and subjective elements converge (c.f.: Hammersley, 2008; Kay, 2009). Such constructionism is most pronounced in our specific object of study. Public policies are not self-evident nor a matter of linear causality. The reality to be explained is intrinsically subjective and inherently political, designed and ‘discovered’ according to a subjective definition of policy and thus of policy change (Capano and Howlett, 2009c; Hecllo, 1972; Hogwood and Peters, 1982; John, 1998). Furthermore, traditional philosophical approaches have encountered methodological problems and constrains when trying to explain policy processes. According to Lewis and Steinmo (2010), this is due to foundational assumptions that derive from deterministic and ontological reductionist approaches. The first emphasize fixed and static relationships between independent variables, while the second conceive the possibility to design theories and models that predict human social behavior. But what makes the study of policy processes so difficult is precisely its complexity and configurative character. On the whole, policy change is unique and unpredictable, and should be analyzed in terms of learning and adaptation (Hecllo, 1972: 106). Hence, models looking for deterministic net causal effects, instead of probabilistic and combinatorial causes, are probably ill-suited for the task (Capano and Howlett, 2009a: 223–225). As a result, evolutionary theory has been gaining weight in policy studies over the last decade, on account of its promise to provide political scientists with a better understanding of human behavior and political preference formation (Alford and Hibbing, 2004). Its assumption of a world that is highly complex, contingent, inconstant and emergent, appears to make evolutionary theory better suited for the study of policy processes and dynamics (Cairney, 2013; John, 1998: 167; Lewis and Steinmo, 2010). Our use of the MSF as the theoretical framework for this investigation is partly due to these assumptions. Kingdon’s (1984) ‘Agendas, Alternatives, and Public Policy’ predates the expansion of evolutionary theory in political science and is not an evolutionary model *per se* (John, 2003: 488). However, as Cairney (2013) and Baumgartner (2016) point out, the influence of biological thinking, natural selection and randomness is clear and constant throughout its pages.

events, account and compare different experiences and interpretations, and give voice to those whose views are rarely heard (McNabb, 2009; Sadovnik, 2007; Sofaer, 1999; Tierney and Clemens, 2011; Yanow, 2007; Yin, 2011).

Furthermore, our research approach, questions and selected theoretical framework lead us to select the multiple-case study as the design of inquiry of our investigation. The multiple-case study is a variant of a case study design (Yin, 1994: 14) and is known in political science as the multi-case method (McNabb, 2009), the comparative method (George and Bennett, 2005) or the small-N comparative case study (Gupta, 2012). It is used in studies that contain more than a single case, in order to extend the inquiry to other units of analysis without compromising on depth.

The case study is defined by Gerring (2004: 341) as “an intensive study of a single unit for the purpose of understanding a larger class of (similar) units”. Yin’s (1994: 13) definition is more explicit, describing case studies as “empirical inquiries that investigate a contemporary phenomenon within its real-life context, especially when the boundaries between phenomenon and context are not clearly evident”. While Heclo (1972) already indicated that case studies were especially suited for dealing with policy change and comparative analysis, Yin (1994: 7) considers case studies to be employed in investigations with the following characteristics: First, when ‘how’ or ‘why’ questions are asked about contemporary sets of events. Second, when the investigator cannot manipulate the behavior of those involved in the study. And last, when the investigator believes that contextual conditions might be highly pertinent to explain the studied phenomena. Gerring (2004: 352), for its part, indicates that:

“[...] ceteris paribus, case studies are generally more useful (1) when inferences are descriptive rather than causal, (2) when propositional depth is prized over breadth and boundedness, (3) when (internal) case comparability is given precedence over (external) case representativeness, (4) when insight into causal mechanisms is more important than insight into causal effects, (5) when the causal proposition at issue is invariant rather than probabilistic, (6) when the strategy of research is exploratory, rather than confirmatory, and (7) when useful variance is available for only a single unit or a small number of units.”

These definitions and methodological particularities are highly consistent with the research approach, objectives and questions that have been presented so far. The only parameter now missing is the conceptual framework that will guide our research. As will be discussed in-depth in *chapter 4*, our endeavor corresponds to the area of research known as ‘policy studies’ (DeLeon, 1997; Lasswell, 1971; Weimer, 2008). We intend to understand, explain and compare the origins

and trajectories of two public policies, which implies looking at three different aspects of the policy process from a comparative perspective: agenda-setting, the development of alternatives, and policy decision making. To study such strongly interrelated phenomena, researchers resource to conceptual tools that can assess the complexity of the overall policy processes (Capano and Howlett, 2009b; John, 1998, 2003; Sabatier, 2007a).

From the rich assortment of tools at our disposal in the policy studies literature, we review and compare the three most prominent synthetic or multidimensional approaches (Real-Dato, 2009): John Kingdon's (1995) Multiple Streams Framework (MSF), Baumgartner and Jones' (1993, 2009) Punctuated Equilibrium Theory (PET), and Sabatier and Jenkins-Smith's (1993) Advocacy Coalition Framework (ACF). Since each uses highly ambiguous terms, has different purposes and scopes, and explores processes at different levels, it is not possible to determine if one theory is better than the other (Cairney and Heikkila, 2014; Schlager, 2007). Therefore, the selection of the MSF responds to various reasons that make it the most appropriate approach for our purposes.

Since these reasons will be discussed in-depth in *chapter 4.5*, we shall only limit ourselves at this point to sum them up briefly. The first reasons depart from the research approach and objectives of our investigation. Beyond its already mentioned strong influence by evolutionary theory, the MSF is particularly well suited for performing case studies with a qualitative research approach and an explanatory research strategy. Moreover, it is the only one of the three approaches under consideration that has the agenda-setting process as its main object of study (Kingdon, 1995). This is a crucial element for our analysis, because our most important goal is to discover why gun control became so prominent in the public and political agendas of Brazil, since the issue is largely absent in most other countries of the region.

Furthermore, the MSF is also the only approach under review that pays explicit attention to public emotions through the concept of the 'national mood' (Ib.: 1995: 146–149). This sensitivity is of key importance to the central policy fields of our investigation, due to the fundamental role that emotions like fear and insecurity play in security policies, in general (Garland, 2001; Kessler, 2009; Paternain, 2013; Zedner, 2000), and firearm control policies, in particular (Barragan et al., 2016; Sanjurjo, 2016b; Smith and Uchida, 1988).

Finally, we are currently at a crucial moment in time to work on the MSF. After over 30 years since its original development, the framework is at the empirical and theoretical crossroad of its development and a significant number of researchers have decided to give a new impetus to its theoretical advancement (Cairney and Jones, 2016; Weible and Schlager, 2016). We want our work to be a valuable contribution to this collective endeavor, which is why we are going beyond the original framework and adopting a series of small and large theoretical modifications proposed by various scholars in recent years (Herweg et al., 2015; Knaggård, 2015, 2016;

Zahariadis, 2003; Zohlnhöfer et al., 2016). Moreover, we will evaluate the applicability of the original framework and of the proposed modifications on case studies from Latin America, the region where meta-reviews suggest that the MSF has been the least applied (Jones et al., 2016: 21–22).

2.3 Case selection

Cross-case selection should seek two main goals (Gerring, 2008: 645): To elucidate the features of a broader population (representativeness), and to achieve variation on the dimensions of theoretical interest (causal leverage).

Although there are numerous ways to do this in a purposive (nonrandom) fashion, the debates on small-N case selection procedures have not advanced much since the pioneering work of Mill (1843), Przeworski and Teune (1970), Lijphart (1971, 1975) and Eckstein (1975). More contemporary methodologists consider, however, that a more comprehensive menu of options in case study work is possible and necessary (Seawright and Gerring, 2008: 295).

Among the approaches that were developed as a result is the ‘diverse-case method’, as defined by Gerring (2008: 650–652). The primary objective of this strategy is to achieve maximum variance along relevant dimensions, which requires the selection of at least two cases which are intended to represent the full range of values characterizing X, Y, or some particular X/Y relationship. This method bears some resemblance to Mill’s (1843) Joint Method of Agreement and Difference, which was a mixture of his most-similar and most-different cases. Diverse cases are likely to be representative only in the minimal sense, representing the full variation of the broader population, but not mirroring its distribution.

The adoption of the ‘diverse-case method’ responds to a series of challenges. First, to the difficulty of finding and studying cases that are truly representative of our broader (unstudied) population, all Latin American countries. The region consists of sub-regions and countries with highly dissimilar populations, economies and systems of government, where the potential reasons for variations in agenda and policy dynamics are all highly heterogeneous as well. This includes crime and armed violence rates, firearm proliferation and use, firearm culture and tradition, institutional constructions, the political environment, the presence of actors in favor or against gun control, and their influence in decision making. Second, to the fact that our research can be described as explanatory and ‘Y-centered’, since we are concerned with explaining outcomes of policy processes but are unsure of the causes for this variation and how these causes differ among all potential cases (Gerring, 2008: 646–647). Finally, to pragmatic considerations (financial resources to travel) that limit the number of cases under study and thus make the representativeness of our cases more limited than we would hope for.

Taking the regional heterogeneity into consideration, our two selected case studies should share a few common denominators, such as the prominence of public insecurity in the public and political agendas, and the experience of a recent change or variation in gun control policies. On this basis, we search for variation on the dimensions of theoretical interest: the status of the firearm control issue in the agendas, the nature and scope of the policy changes experienced, the levels of firearm violence, and the presence of interest groups with influence on the policy-making process. Additionally, we follow Zahariadis' recommendation (2003) on the convenience of evaluating the applicability of the MSF and its theoretical extensions in countries that vary significantly in size, complexity, and power.

With these criteria in mind, Brazil is the more obvious choice and we select it as our first case of study. As already mentioned, the firearm control issue in most Latin American countries is not elevated to agenda status or only gains public and political attention intermittently when high profile acts of armed violence occur. In the Brazilian agendas, however, the issue acquired prominence regularly during the 1990s and 2000s, as social movements, advocacy groups and the mass media engaged in an intense and ongoing public debate in favor and against the possession of firearms by civilians (Dreyfus et al., 2003: 26). This contrasts sharply with the situation in Uruguay, our second case of study. There, public and political attention to the issue has been scarce and policy changes went mostly unnoticed to the general public. While this follows the more general pattern in the region, it is still surprising, considering that the Uruguayan society is by far the most heavily armed in Latin America (Karp, 2012; Morás and Trujillo, 2015).

Likewise, the Brazilian Disarmament Statute of 2003 supposed a swift and paradigmatic policy change, pronounced in its scope and ambitious in its mode, when compared to the changes that occurred to firearm control policies in the broader region. It also included a nationwide referendum to decide if the sale of firearms should be forbidden throughout the country, an extraordinary measure at the global level. Conversely, the Uruguayan Responsible Firearm Ownership Law was approved a decade later in 2014 and was the outcome of a negotiation process that took years to reach a consensus. Despite its incremental nature, the implementation has been highly problematic and its regulation was only passed two years later.

At last, Brazil suffers high levels of armed violence and had one of the highest rates of firearm homicide in the world when the Disarmament Statute was enacted (Waiselfisz, 2005: 70). In contrast, Uruguay has one of the lowest levels of armed violence in the region and its homicide rates are closer to those in Western Europe than to the Latin American average (Fleitas, 2015; UNODC, 2014). The presence and activity of influential interest groups is also widely diverse among both countries. Brazil has namely a large and thriving small arms industry (Dreyfus et al., 2010), as well as large and actively-involved social movements and civil society organizations

(Ballestrin, 2010; Lucas, 2008). Uruguay, on the contrary, is only a small arms and ammunition importer and the activity and influence of gun control related interest groups is rather limited.

As a result, we can confidently assume that Brazil and Uruguay present a very high variance on the dimensions of theoretical interest when compared to other cases that were under consideration. It is also worth mentioning that this selection allowed to satisfy a criterion of ‘proximity’ regarding the object of study: “Qualitative data is gathered in those situations in which the observer has an easy access, without having to resort to ‘creating’ or ‘pretending’ inexistent situations, and without having to resort to intermediaries” (Ruiz Olabuenaga, 2003: 73 - Translated from Spanish¹⁷). In accordance, the professional relations that link us to these countries represented an opportunity that cannot be overstated, since we were able to take advantage of professional trips to both countries to perform empirical research and in-depth interviews *in-situ*.¹⁸

As a final remark, it is appropriate to discuss the difference between representativeness and generalization in relation to our case selection. As we have stated before, qualitative research, case studies and policy studies are hardly generalizable according to quantitative criteria. This is because a small number of data collection units cannot adequately represent a larger population of units, even in cases where this larger population can be defined. However, this ‘statistical’ generalization can be replaced with a process of ‘contingent generalization’ (George and Bennett, 2005) or ‘analytic generalization’ (Yin, 1994, 2011), which is the claim that the study’s findings are likely to inform similar situations in similar contexts. In the framework of our investigation, this means that we believe that the explanations concerning agenda-setting and policy formation in Brazil and Uruguay are likely to have an impact on our understandings of these processes in other countries of Latin America, even when the arguments supporting this claim cannot be considered factual nor evidential.

¹⁷ “Los datos cualitativos son recogidos en aquellas situaciones en las que el observador dispone de una accesibilidad fácil para su adquisición, sin tener que recurrir a ‘crear’ o ‘fingir’ situaciones inexistentes en la realidad, y sin tener que recurrir a intermediarios.” (Ruiz Olabuénaga, 2003: 73).

¹⁸ The empirical research in Uruguay was performed during two relatively short trips to Montevideo (Uruguay) in 2015 and 2016. The empirical research in Brazil was carried out during a three-months research stay at the University of Sao Paulo in Sao Paulo (Brazil), for which we were honored to receive funding from the Autonomous University of Madrid.

Chapter 3: Contextualizing the policy problem and reforms: Firearm violence, securitization and control

Before we turn our attention to the conceptual framework and the empirical case studies, it is necessary to contextualize the analyzed policy problems and reforms. The Brazilian Disarmament Statute and the Uruguayan RFOL did not appear from nowhere, but were developed after the dramatic increase in crime and violence experienced by Latin Americans in recent decades. Homicides¹⁹ are a case in point, taking the lives of more than 140 thousand people each year (UNODC, 2014). Since most murders are committed with firearms, these weapons have a major influence upon the trends of violence engulfing the region. Whether used in domestic and gender violence, common street or organized crime, their proliferation among civilians favors manifestations of violence that are more spread out among the different population groups than ever before.

And yet, the vast majority of those who acquire firearms in Latin America do so for defensive purposes. As such, they suppose the main target group of gun control policies and among the most affected by their regulations. With the proper training and under the right conditions, guns can namely be an effective instrument for personal defense against crime and even make the difference between life or death. This is especially the case when states do not have the effective capacity to safeguard their citizens, and it is the reason why the adequate use of firearms is regulated by law in most countries of the world. In the current context of rising violence, more and more Latin Americans turn to them as instruments of self-protection. By doing so, these citizens are arguably taking part in the fight against crime.

The problem with this rising trend is that gun proliferation has turned into a major cause of violence in the region. Hundreds of new firearms enter circulation each day. They ultimately promote a culture of violence, cause more fear, and trigger a higher demand for guns and

¹⁹ Homicides are defined as the unlawful death purposefully inflicted on a person by another person (UNODC, 2014: 102). For the purposes of this study, the terms 'homicide' and 'murder' will be used interchangeably. The violent death of a human being is the most extreme consequence of armed violence, which is why virtually all states recognize 'homicide' as a renown legal figure in their criminal codes. For this reason, its amount is usually used as an indicator of the levels of armed and lethal violence in a society. It is a highly imperfect indicator, however, since it does not portray non-lethal forms of crime and violence, such as armed robbery, kidnapping, sexual violence or non-lethal injuries caused by firearms. It also does not depict suicides, deaths related to conflicts, caused by recklessness or negligence, as well as those that occur as a result of acts of terrorism, riots and other forms of civil unrest, pre- or post-electoral violence, political crises, and the excessive use of force by the police. Therefore, even though homicide rates are a useful indicator, they frequently undermine mortality figures and only portray a partial image of the victimization by armed or lethal violence afflicting societies (Alvazzi del Frate and De Martino, 2015). Furthermore, the realization of transnational analysis with criminal statistics is problematic due to various reasons (Bhalla et al., 2012). First, they are frequently subject to under-reporting, since registries only show crimes that were reported to national authorities. Moreover, homicide statistics stem from national public health and criminal justice sources, which usually differ substantially or are not up to date. Besides, these institutions may differ considerably on data collection practices or on the definition of what constitutes a homicide. Despite a significant improvement in recent decades, registries in Latin America do not escape this reality (Dammert et al., 2010; Fleitas et al., 2014: 8–17). Problems are especially acute in small countries of the Caribbean, but are also partially present in other latitudes. Finally, many states do not produce or publish homicide statistics disaggregated by the mechanism used to commit them. Others do, but present serious limitations.

additional violence. This vicious circle of gun proliferation and violence has not gone unnoticed to many researchers, academics and policy-makers. Thus, the strengthening of firearm regulations in Brazil and Uruguay are not isolated phenomena. The 1990s and 2000s were exceptional decades for firearm policies, as a large number of civil society organizations, national governments and international organizations acknowledged the importance of regulating small arms at all levels of governance. As will be discussed in the following sections, this tendency responds to a so-called securitization process, in which a coalition of various actors managed to successfully impose a narrative that defines firearms as a humanitarian issue and associates them with high levels of armed violence.

Furthermore, the problems related to the proliferation and misuse of firearms have an international and multilevel character, which implies that national governments cannot possibly respond to them without inter-state cooperation. In consequence, firearm control efforts operate at different levels by means of international agreements and conventions, national policies and local programs. These initiatives are all part of a particular policy subsystem, with its own functionality, actors, power balances, patterns of bargain, resources and instruments. Civil society organizations frequently play an important role in this area. This is surprising, considering that firearm control initiatives are embedded within security and defense policy subsystems, areas that were traditionally restricted to state actors.

The present chapter will introduce the relevance of the gun problematic and of gun control policies. To this end, the first section will first provide an analysis of the context of armed violence in Latin America, as well as of the incidence of civilian firearms in the remarkable increase in homicides. Building upon this analysis, it will then discuss the relationship between states and those citizens who acquire guns for defensive purposes. The second section will analyze the firearm securitization process, placing emphasis on the role played by the small arms movement and its influence in Latin America. The third section will review the measures and instruments that governments have at their disposal to respond to firearm-related problems. This includes international agreements, firearm control policies and voluntary weapon collection programs. The chapter ends with a summary and conclusions.

3.1 Armed violence and defensive firearm use in Latin America

Between 2007 and 2012, only 14 per cent of all violent deaths worldwide occurred because of armed conflict or terrorism, while an additional 4 per cent happened in relation to legal interventions. The remaining 82 per cent were a consequence of intentional and non-intentional

homicides in contexts that would traditionally be characterized as non-conflict settings²⁰. Contrary to conventional wisdom, the immense majority of deaths derived from armed violence occur in contexts of little relevance to western media and scientific communities, which are more attracted by the scale of concentrated violence of civil and interstate wars (Alvazzi del Frate and De Martino, 2013: 7).

Latin America has been the fiercest illustration of this phenomenon in recent decades. Despite significant economic expansionism, the development of civil societies and the strengthening of democracies and constitutionalism, insecurity, crime and urban violence have strongly increased (PNUD, 2013: V) and become the most pressing public concern in the region (Lagos and Dammert, 2012; LAPOP, 2014). This apparent paradox²¹ challenges criminological theories that suggest that an improvement in socioeconomic indicators would bring a reduction in rates of crime and violence (Agnew, 1992; Merton, 1938; Richard A. and Ohlin, 1960). Some authors consider these rates to be consistent with high inequality, low police presence and -relatively- low incarceration rates in the region (Soares and Naritomi, 2010), but others consider them disproportionally high in relation to income per capita, inequality and poverty (Galiani and Jaitman, 2015).

Beyond this paradox, murders experienced an 11 percent increase between 2000 and 2010, turning Latin America into the only region in the world in which homicide rates increased during the first decade of the 21st century. Granted, this upward trend does not apply to every country. Murder rates in Colombia or Brazil decreased during the past decade, for example, but rates in El Salvador, Honduras or Venezuela doubled or tripled, often exceeding rates of countries at war. Although regional statistics are highly sensitive to these prominent increases, rises were also experienced in countries with traditionally low levels of violence, such as Costa Rica, Panama and Uruguay, for instance.

This rising trend has been acknowledged in the last edition of the Global Study on Homicide by the United Nations Office on Drugs and Crime (UNODC), according to which the region surpassed Africa for the first time and positioned itself first in the regional classification of murders, both in absolute numbers as in relation to its population (UNODC, 2014). Likewise, the World Health Organization (WHO) considers a rate of 10 homicides per every 100 thousand inhabitants to be characteristic of endemic violence. This means that violence has effectively reached epidemic proportions in most countries of the region. Foremost among these are Brazil,

²⁰ The incidence and rigor acquired by lethal violence in non-conflict settings in recent decades has led to rethink the classification parameters on the matter. The dynamism and multiple dimensions that characterize outbreaks of violence in countries like Mexico, Honduras or El Salvador, blur criteria that allow to distinguish between interpersonal and organized violence or between political and criminal violence. In such cases, traditional classifications seem incapable to encompass the violent phenomena at work and even the distinction between war and peace turns difficult (Geneva Declaration Secretariat, 2011: 11–42).

²¹ For an in-depth analysis and a plausible hypothesis regarding this apparent paradox, see PNUD (2013: 15-23).

Colombia, El Salvador, Guatemala, Honduras, Mexico, and Venezuela. Combined, they generate one in four murders around the world each year (Muggah and Szabo de Carvalho, 2017).

Furthermore, the escalation of violence has restated a traditional perception of Latin America as a particularly violent region of the world. This perception is not far from reality. The current situation cannot be considered ‘deviant’, since social and political violence have been an endemic and permanent feature of nation-building in the area (Koonings and Kruijt, 1999). Moreover, the region already presented similar murder figures in the mid-1990s (CAF, 2014: 22). Unlike at that time, however, there are currently no interstate armed conflicts nor civil wars in the region, apart from the Colombian case. The ‘new violence’ in Latin America is more plural, democratic and perpetrated among citizens (Koonings and Kruijt, 1999: 11–12, 2004: 8–10). It results from gangs, drug trafficking and organized criminal groups, conflicts based on land and property rights, domestic violence, urban crime and interpersonal violence, in general (Lagos and Dammert, 2012; OAS, 2012; PNUD, 2013).²² Patterns of violence are heterogeneous, varying from one country to the next and even at the local level. Major cities usually concentrate crime and violence, both in the form of street and organized crime (Jütersonke et al., 2007). Most homicides are also concentrated geographically and demographically, occurring disproportionately in certain neighborhoods and between young men, who are the overwhelming majority of victims and perpetrators (Betancourt, 2017).

Beyond the massive loss of human lives, the increasing homicide rates in the region carry devastating consequences for the legitimacy of public institutions, for social cohesion and national economies. It ceases and even reverts social development, as it reduces general life expectancy, destroys productive capital and puts macroeconomic stability at risk (De Martino, 2012). Moreover, security demands exceed by far the capacities of states to provide it, leading to the massive presence of private and non-state actors governing security in every country (Arias, 2009; Ungar, 2007). In Colombia, for instance, the ratio of private security agents to public police agents is estimated to be 7:1 (Arias, 2009: 35). Studies on the socioeconomic impact of crime and violence are highly divergent, but agree on the fact that it supposes a terrible burden that amounts to billions of US American dollars. One of the most recent and robust studies on the matter estimates the total costs in crime expenses in 170.400 millions US dollars, an amount equivalent to 3,55 percent of the region’s GDP (Jaitman and Torre, 2017).

²² For an in-depth analysis of the subjacent causes of the high levels of criminality and violence in the region, including economic inequalities, poverty and marginalization, see Soares and Naritomi (2010), PNUD (2013) and CEPAL (2014).

3.1.1 Firearm proliferation and violence

Small arms²³ are fundamental in the democratization of Latin American violence (Koonings and Kruijt, 1999: 15). Their proliferation among civilians is a global and rising problem, as the number of weapons in circulation increases and their illegal traffic intensifies. Between 2010 and 2015, firearms were used in 50 per cent of all homicides worldwide²⁴ (Widmer and Pavesi, 2016), while for each person killed, at least three more survived gunshot injuries (Alvazzi del Frate and De Martino, 2015). Their impact is even more pronounced in Latin America, where the percentage of homicides committed with firearms is usually much higher. In Brazil and in Central America, for instance, gun homicides correspond to at least 70 percent of the total (Geneva Declaration Secretariat, 2015; Waiselfisz, 2015b). Their use in non-lethal forms of crime has drastically increased as well in recent decades (PNUD, 2013: 30), as local studies show that rising insecurity and mistrust in state authorities favored a higher disposition to acquire them as instruments of self-defense (e.g.: Moreano et al., 2006: 5; Mujica, 2012: 16; Salamano, 2016: 47–49). These developments take place in a region that already possesses important firearm surpluses that date back to the civil wars and military dictatorships of the 20th century (Karp, 2011).

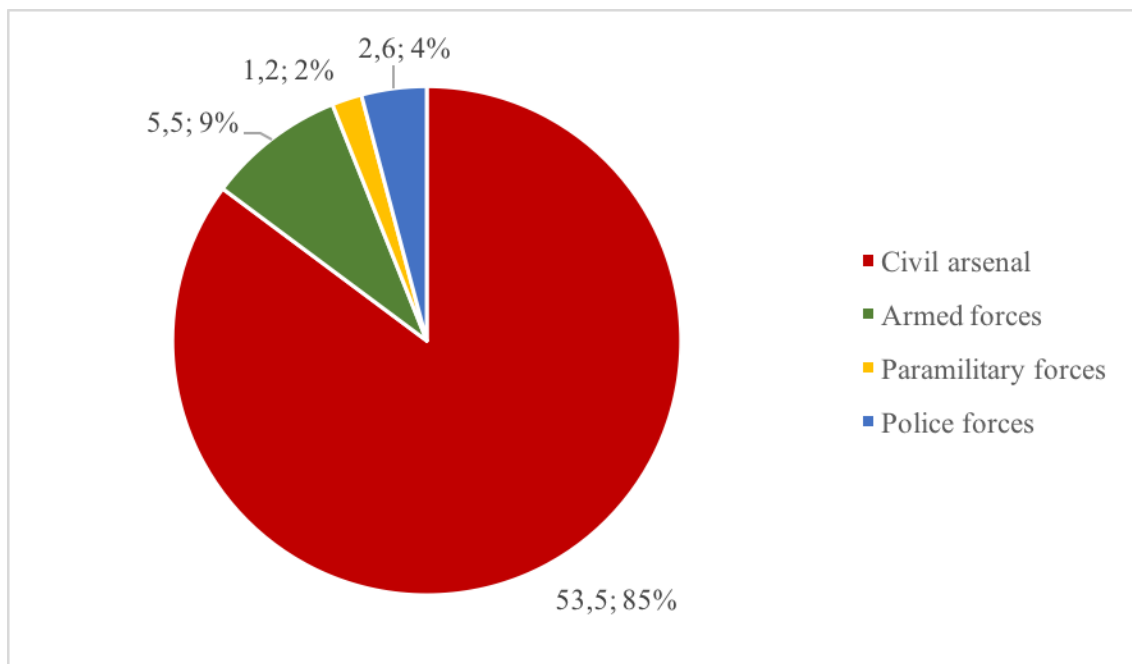
As a result, the best and latest available estimates indicate that there are approximately 63 million small arms in Latin America (Karp, 2012). Among these, 13 percent would belong to state security forces and an additional 2 percent would be in the hands of paramilitary forces. The remaining 85 percent would belong to civilians²⁵ (*Figure 1*). Admittedly, public security forces usually possess guns with superior firepower, but the overwhelming quantity of civilian firearms, the ease with which these weapons are used and their influence in regional violence, all suggest that civilian guns are currently much more dangerous than any others.

²³ There is no universally accepted definition of a ‘small arm’ nor of a ‘light weapon’. The Glossary of terms, definitions and abbreviations of the United Nations Coordinating Action on Small Arms defines ‘small arms’ as “any man-portable lethal weapon designed for individual use that expels or launches, is designed to expel or launch, or may be readily converted to expel or launch a shot, bullet or projectile by the action of an explosive” (UN CASA, 2012). According to the United Nations Panel of Governmental Experts on Small Arms, ‘small arms’ are designed for personal use and may be carried by one person, whereas ‘light weapons’ are used by several persons or a crew and may be transported by two or more people, a pack animal, or a light vehicle (UNGA, 1997). Small arms and light weapons (SALW) usually cover both military-style small arms and light weapons, as well as commercial firearms (handguns and long guns). The term ‘small arms’ is often used to refer to both types of weapons (Parker and Wilson, 2016: 14). For the purposes of this study, the terms ‘small arms’, ‘firearms’ and ‘guns’ will be used interchangeably and refer to the following items: revolvers and self-loading pistols; rifles and carbines; shotguns; sub-machine guns; and light and heavy machine guns.

²⁴ Even though Latin America is the region with the highest proportion of firearm homicides, the information on homicidal mechanisms in places such as Africa, Southern Asia or Southeast Asia is very scarce, which may result in under-reporting (Bhalla et al., 2012; Geneva Declaration Secretariat, 2015; UNODC, 2014: 99–108).

²⁵ This is not a regional exception. Karp (2007: 39) estimated the existence of 875 firearms worldwide, but less than a quarter would correspond to national armed forces or police forces (223 million). Another 11 million would belong to criminal or non-state armed groups. The remaining 75 percent -around 650 million firearms- would belong to civilians.

Figure 1: Small arms distribution in Latin America (in millions; percentage)



Source: Own elaboration using estimation by Karp (2012).

Furthermore, the estimated civilian arsenal equals an average distribution of 9.3 civil guns per every 100 residents. Estimations on national rates of firearm ownership vary considerably in the region, ranging between 2 firearms per every 100 inhabitants in Cuba to 32,6 in Uruguay²⁶ (Karp, 2012). Despite being on opposite ends, precisely these two countries stand out in the regional comparison due to their low levels of firearm violence. It is an indication that the relationship between civilian gun ownership and firearm homicides is not linear, and the correlation between gun proliferation and crime is usually low (Gilgen, 2012; Sanjurjo, 2016a). This is not a distinctive feature of the region. The USA's estimated gun ownership rate is ten times higher than Latin America's average, but its firearm homicide rate is seven times lower. Likewise, Finland and Switzerland are estimated to have 45,3 and 45,5 guns per every 100 inhabitants, but are two of the most peaceful countries in the world (Karp, 2007; UNODC, 2014).

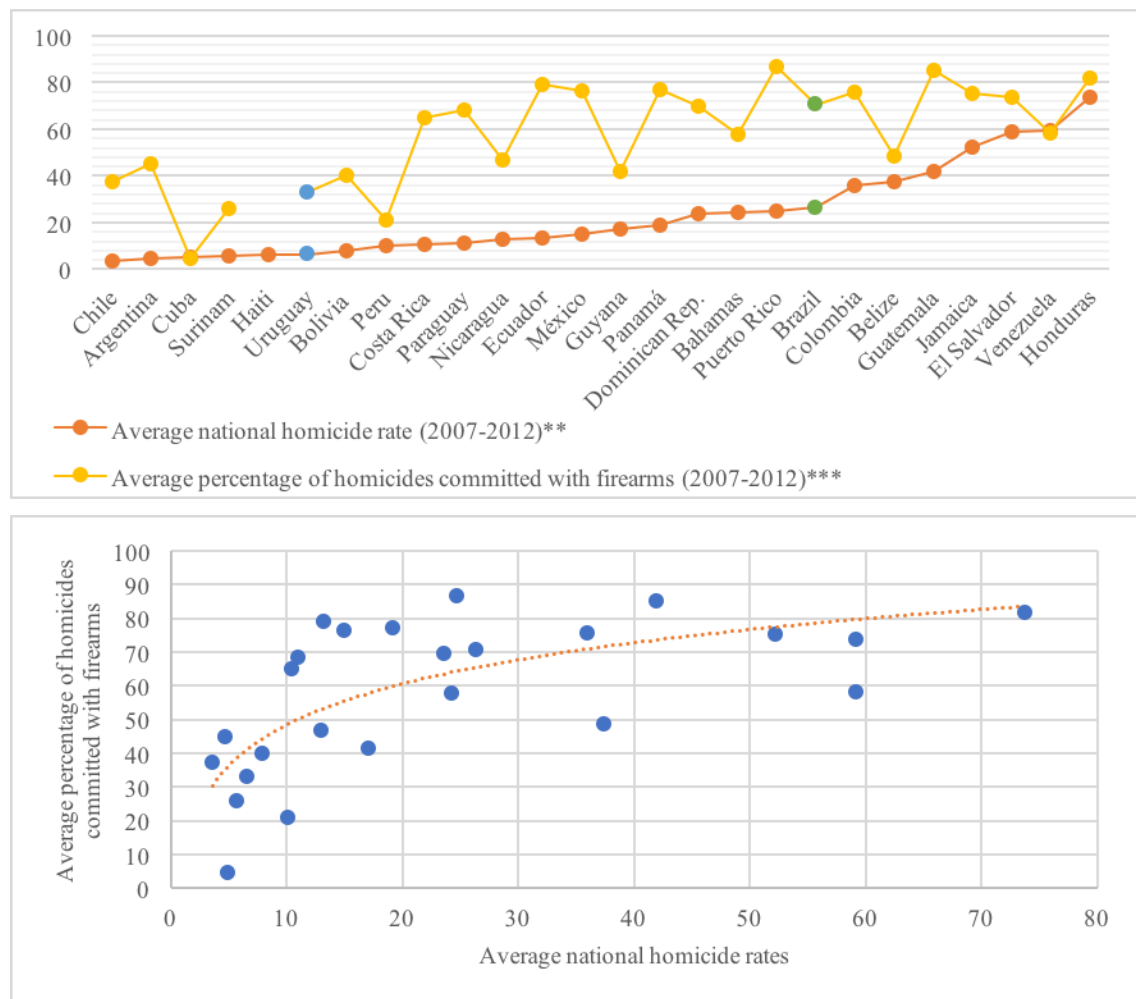
The influence of gun proliferation on violence and insecurity is namely more complex and difficult to predict than the regional literature usually suggests. Efforts to find evidence of causality are strongly contested²⁷ (UNODC, 2011: 41–45; USA: IOM and NRC, 2013).

²⁶ The national firearm ownership rate informs us about the national firearm culture. Societies with the highest rates are those with (1) an important tradition of owning and using firearms, such as in Guyana, Paraguay and Uruguay, or with (2) access to the powerful US small arms market, such as in the cases of the Bahamas, Puerto Rico, Surinam, Mexico and Panama. For estimations on civilian firearm possession rates in 26 countries and territories of Latin America, see *Figure 12*.

²⁷ The Anglo-Saxon criminology field holds an intense academic debate on the risks and benefits of civilians gun ownership and carry (e.g.: Hemenway, 2011; Kellerman et al., 1993; Lott, 1998), but its results are still inconclusive (USA: IOM et al., 2013; USA: NRC, 2005). Studies of this nature have not been carried out in Latin America.

Ultimately, guns can be an effective instrument for personal defense against crime, as well as a lethal instrument to generate violence, commit crimes and confront state security policies (Barragan et al., 2016; McDowall, 1995; Sanjurjo, 2016b; Smith and Uchida, 1988). However, their influence on regional violence presents distinctive particularities that go beyond such a linear relation. Firearms do not suppose a problem in Latin America because of their sheer quantity, but due to their incidence in crime and violence. Not only is the percentage of firearm homicides disproportionately high, but national homicide rates also show a positive correlation with the percentage of homicides committed with firearms (Gilgen, 2012; Sanjurjo, 2016a). In other words, high homicide rates in Latin America tend to coexist with high percentages of homicides committed with firearms (*see Figures 2 and 3*). This is the case in countries like Brazil, El Salvador, Honduras, Jamaica or Venezuela, for instance.

Figures 2 and 3: National homicide rates and percentage of homicides committed with firearms, in 26 countries and territories, averages 2007-2012



Source: Own elaboration using data from the Geneva Declaration Secretariat (2015) database;

*National firearm homicide rates are not available for Haiti.

**Average of annual national homicide rates per every 100 thousand inhabitants from the years 2007-2012, or last year available.

***Average of annual percentages of homicides committed with firearms from the years 2007-2012, or from the last year available.

How must these Latin American particularities be interpreted? As already stated, the relationship between firearm availability and armed violence is not lineal and this phenomenon does not constitute evidence of causality among gun proliferation and homicide rates. However, they do suggest important correlations that cannot be ignored. The proliferation of small arms leads to different consequences in Argentina than in Guatemala. Even between territories, cities and neighborhoods, small arms trigger different processes. It is significantly more likely for a gun to be used to commit a homicide in Central America and the Caribbean, than the same gun in the Southern Cone of South America. Therefore, more than the quantity of firearms and their physical capability to produce harms, it is the circumstances that surround firearms which determine their lethality.

The regional literature suggests several factors that facilitate armed violence in non-conflict settings. Common root causes are marked economic inequalities, social exclusion, weak institutional contexts, rapid and uncontrolled urbanization, a recent history of armed conflict, massive migrations and violent events in neighboring countries. More proximate causes are called drivers and triggers. Common drivers of armed violence are high percentages of young men who do not work nor study, teen pregnancy, dysfunctional families or the critical presence of drug trafficking and organized criminal groups. Triggers are even more immediate, such as group conflicts that involve retaliation, or access to alcohol and firearms (Alvazzi del Frate and De Martino, 2013; Betancourt, 2017; César Fernandes and de Sousa Nascimento, 2007; Jütersonke et al., 2007; UNODC, 2011, 2012; World Bank, 2011).

A quick overview of the region suggests that all countries present some of these factors to a certain extent. Most bring various of them together and some are even affected by all of them. As it is, Latin America makes up the most unequal region in the world (CEPAL, 2014: II). It is also the most urbanized, with over 80 percent of its citizens living in cities, characterized by rapid and poorly planned urban growth (CEPAL, 2012). In 2012, approximately 30 million young Latin Americans -22 percent of all people between 15 and 29 years old- did not study nor work, crucially undermining their capacity for social inclusion (CEPAL, 2014: 137).

Likewise, countries with a recent history of armed conflict usually show high levels of firearm lethality, such as Colombia and the Central American nations. Vicinity and proximity also seems to be decisive. Broadly speaking, the highest firearm lethality is concentrated in Mexico, Central America, the Caribbean and the northern countries of South America. These areas and regions work as trafficking routes between the USA and South America and are most affected by organized crime and drug trafficking. Two dynamic and international phenomena which - combined with the other mentioned factors- can easily result in extreme waves of violence (UNDP, 2012). Hence, the combined presence of root causes and drivers makes the proliferation

of small arms especially pernicious, as the easy access to guns triggers what is already an explosive combination of risk factors.

The reviewed particularities of Latin America have not gone unnoticed. For instance, the UNODC considers that the region suffers a vicious circle of gun proliferation and violence. Accordingly, the availability and easy access to small arms would also constitute an important facilitator of homicides (2011: 41-45). This suggestion adds to a previous consideration by the World Health Organization (WHO) about the evidence of a tight relationship between violence and crime, on the one hand, and firearm trafficking and use, on the other (WHO, 2009). Under these circumstances, it seems reasonable to suggest that a more restricted access to firearms could help in lowering the rates of violence in the region.

3.1.2 Defensive firearm use in the governance of security²⁸

As the previous sections have shown, the influence of civilian firearms is notorious in the violence sweeping the region. And yet, the vast majority of firearms are acquired for defensive purposes, precisely as instruments of self-defense against crime. Personal safety is a vital matter and the ready availability of a firearm can make the difference between life or death. This is especially true in Latin America, where public security forces are mostly incapable of effectively protecting vulnerable citizens. Beyond other considerations, with the proper training and under the right conditions, a gun can be an effective instrument of self-protection.

For these reasons, the adequate use of firearms is protected by law in most countries of the world, while their illegitimate use is prevented through gun control policies. Such policies are usually an attempt to find an equilibrium between their legitimate legal use and the prevention of social harms, such as crime, interpersonal violence, accidents and suicide. To this effect, they usually regulate firearm-related activities, including the possession, carry and use of firearms by official security forces, private security actors and regular civilians. Since the best available estimations in Latin America suggest that around 85 percent of the guns in circulation would belong to civilians (Karp, 2012), those who acquire them for self-defense are the main target group of gun policies and the most affected by their regulations.

As previewed in the introduction of this chapter, the extended use of firearms in violence and crime clashes with their massive acquisition for protection. This paradox leads us to ask ourselves about the role of firearms and their users' in the governance of security. A governance approach²⁹

²⁸ This section is largely based on a previous publication of ours (Sanjurjo, 2016b).

²⁹ 'Governance' is still an ambiguous term that is used in many ways (Rhodes, 1997: 47-53). Closely related to Foucault's (1977) notion of 'government', contemporary literature usually utilizes the term to describe a type of regulation and accountability that is "post-political" (Hirst, 2000: 13), in which the emphasis is put on the importance of non-state actors participating in governing processes. It is grounded on the inconsistency of the present interrelation

assumes that a situation results from the interaction between a plurality of state and non-state actors. The civilian use of firearms is a clear example thereof, because citizens take responsibility for their own security by carrying out defense and guard duties that are traditionally within the field of competence of public security agents. It is important to emphasize that citizens may possess and use firearms as collectibles, for hunting or target shooting, but our discussion will focus solely on those who acquire, carry or use firearms as instruments of self-defense.

Private security, self-help and regulated governance

The regional academic literature has largely ignored citizens who acquire guns for defensive purposes. A handful of authors have analyzed the role played by non-state armed actors closely related to them, such as private security actors (Arias, 2009; Müller, 2010; Ungar, 2007), policing extensions (Van Reenen, 2004), and lynching mobs (Godoy, 2004; Santillán, 2008; Vilas, 2007). However, beyond the formal-legal analysis of firearm regulation policies (Dreyfus et al., 2003; Godnick and Vázquez, 2003a, 2003b; Sáenz Breckenridge, 2007), the role of individual armed citizens in the regional provision of security has not been examined. Those who have theorized about the matter outside Latin America conceive the defensive ownership and use of firearms as part of the privatization of security and share many conclusions from its literature, as well as from literature regarding other forms of self-help³⁰ (Barragan et al., 2016; Carlson, 2014; Simon, 2002; Smith and Uchida, 1988).

Therefore, scholars seem to agree on the negative relation between the resort to measures of self-help and the legitimacy of security institutions (Black, 1983; Kane, 2005; Nivette and Eisner,

between state and civil society and the classic social architecture of liberal theory, which seems increasingly unconvincing as a descriptive account of modern societies. Certain functions, traditionally considered indisputably privative of the state, are nowadays considered generic, social and liable of being executed by other actors, blurring the distinction between public and private domains. The inclusion of non-state actors in the achievement of public objectives has significant implications. Some authors see here “the hollowing out of the state” (Rhodes, 1996: 661–663), proof of its weakening and decline. Others see transformations that demonstrate the state’s ability to adapt to changes in its surroundings (Hirst, 2000: 21; Peters, 2005a: 116). In any case, its fragmentation and fusion with non-state agents implies a challenge for central governments in their capacity to control their environment, lead other actors and impose their will upon society. The public security field is not an exception in this regard (Jones, 2007; Wood and Dupont, 2006). The contemporary debate on the governance of security assumes that the incapacity of the state to retain the monopoly on legitimate violence and ensure the security of its citizens has led to the inclusion of non-state actors in the fight against crime (Arias, 2009; Black, 1983; Crawford, 2006a, 2006b; Garland, 1996, 2001; Hall and Winlow, 2003; Lea and Stenson, 2007; Loader and Walker, 2004; Shearing, 2005; Wacquant, 2001, 2003). Hence, the debate revolves around the implications of policies that respond to crime and insecurity by guiding individuals, families and communities not just to police, criminal justice, and military institutions of the state, but also to the private, hybrid, and voluntary sectors. Among trends that stand out are privatization, a booming security industry, communitarianism, and vigilantism. On a descriptive level, the debate is characterized by a consensus regarding the existence of a plurality of actors promoting security, as well as by a disagreement on the nature of the relationship among actors and with the state. On a normative level, scholars disagree on which governance model allows a more just and effective approach to crime control. As in the general governance debate (Pierre and Peters, 2005: 11–48), the governance models proposed for this specific policy area can be placed in a continuum, ranging from a fully public to a mostly private provision of security (Crawford, 2006b: 111; Stenson, 2008).

³⁰ Black (1983: 34) defines ‘self-help’ as “the expression of a grievance by unilateral aggression. It is thus distinguishable from social control through third parties such as police officers or judges and from avoidance behavior such as desertion and divorce”. In the context of our work, it is similar to self-defense or self-protection.

2013). To be legitimate, authorities must rise to the expectations of citizens regarding how they accomplish their mandate, a judgment which converges beliefs concerning lawfulness, distributive justice, procedural fairness, and effectiveness, among other factors (Tyler, 1990, 2004). Accordingly, the likelihood of acquiring and using firearms for defensive purposes would increase when citizens feel vulnerable to crime—especially to lethal violence—and have a lack of confidence in the effectiveness of the police to provide security for themselves and their families (Barragan et al., 2016; Smith and Uchida, 1988).

Also applicable would be the negative consequences of seeking a public and collective good like security by resorting to private security measures (Crawford, 2006a, 2006b; Garland, 1996; Loader and Walker, 2004) or to self-help (Black, 1983; Carlson, 2014; Kane, 2005). It would highlight the boundaries around individuals, families and homes, at the expense of communal identities that keep neighborhoods and societies together (Simon, 2002: 142-143). It would imply distrust in social responses to crime and erode the notion of the government as protector (Carlson, 2014: 349). This could lead to a reluctance to support taxpayer-based spending on public security (Simon, 2002: 144), to the further discredit of public security forces and to an arms race among civilians (Smith and Uchida, 1988: 101–102).

Regarding their role in the governance of security, Carlson (2014) considers gun toters (citizens who carry guns at all times, ready to be deployed) to be part of public responsabilization strategies to fight crime. Through technologies for “governing at a distance” (Foucault, 1977; Garland, 1997; Rose and Miller, 2010), gun toters would be directed from a distance by the government, taking on defense and patrol duties that traditionally belonged to the state. This would extend the state’s capacities of action and influence in the provision of security (Garland, 1996). This relation is consistent with what some authors describe with the term “anchored pluralism” (Loader and Walker, 2001), which relates to the famous analogy of “steering and rowing” (Osborne and Gaebler, 1992): the regulatory state would have given up certain functions, mainly those that compose the prevention of crime, but would function as an anchor, keeping other security actors at bay (Crawford, 2006a, 2006b; Loader and Walker, 2004). The legal execution of sovereign functions by armed civilians, whose right to use lethal violence for protection is generally guaranteed under law, would imply that armed citizens do not break free from the state, but that the state works through them to achieve its purposes. Accordingly, gun toters should not be conceptualized as sovereign citizens, whose power and rights emanate naturally from them, but as sovereign subjects, participating in the sovereign power of the state (Carlson, 2014).

This conceptualization recognizes the contradictions, complexities and ambivalences that surround defensive weapon ownership. Indeed, civilians are legally permitted to possess and use firearms for self-defense in every Latin American country, provided such use is justified and consistent with criminal law provisions governing the use of force (Parker, 2011: 287). In

accordance, the defensive use of firearms by civilians in Latin America is certainly not beyond the state from a formal-legal perspective.

However, by defining the role that armed citizens play in the governance and provision of security by their legal framework, one takes the risk of mistaking the intentions of the state with the efficacy of its policies. Deficient applications, implementation failures, perverse effects, and unintended consequences are commonplace in public policy, in general, and in security policies, in particular. Moreover, levels of armed violence vary greatly between Latin American countries, but the proliferation of guns and their uncontrolled use is a problem that all share to a different but worrying degree. As we saw in the previous sections, in most countries the legal obligations of firearm owners stand in striking contrast to the reality of armed violence among civilians (Gilgen, 2012; Sanjurjo, 2016a). Müller (2010: 139) makes a similar observation regarding private security actors in Mexico City: the state is legally responsible for supervising their role as a complementary security force. However, in view of their frequent and flagrant disregard for the law, this seems to be the exception rather than the norm.

The dual role of firearms in criminal victimization

In the light of these inconsistencies, we carried out in a previous study an in-depth analysis of the role that armed citizens play in the governance of security in Latin America (Sanjurjo, 2016b). We quickly identified that small arms have specific characteristics that provide armed citizens with a dual role within criminal victimization (McDowall, 1995: 131): on one hand, firearms can be effective instruments for personal defense against crime, which is why their adequate use is protected by law in most countries of the world. On the other, firearms can be lethal instruments to generate violence and—inadvertently or intentionally—confront state security dispositions.

This dual role is represented in what scholars have called an “artificial dichotomy” (Spano and Bolland, 2010) in political and popular discourse, according to which there is a clear distinction between citizens that possess and use firearms for defensive purposes and citizens that possess and use firearms to commit crimes. The problem is that these populations include overlapping citizens. Violent victimization and violent aggression are frequently two sides of the same coin. As Barragan et al. (2016) show in their study on US detainees who used firearms to commit crimes, the vast majority acquired those firearms for self-defense and consider protection the main purpose of their use. This is not an exception. For instance, around 52 percent of Uruguayan juvenile offenders who had used guns to commit crimes, considered self-defense the main purpose of being armed (Mosteiro Vaselli, 2016: 138).

This artificial dichotomy can be found in related phenomena, linked to the well-known theory of “crime as social control” (Black, 1983):

“There is a sense in which conduct regarded as criminal is often quite the opposite. Far from being an intentional violation of a prohibition, much crime is moralistic and involves the pursuit of justice. It is a mode of conflict management, possibly a form of punishment, even capital punishment. Viewed in relation to law, it is self-help. To the degree that it defines or responds to the conduct of someone else -the victim- as deviant, crime is social control.” (Black, 1983: 34).

It occurs, for instance, in cases of intimate partner violence against women, an enduring and widespread problem in the region (cf.: Bott et al., 2012) in which men use firearms to intimidate and murder women. In fact, more than half of the 25 countries with the highest femicide (Radford and Russell, 1992) rates are in Latin America, and in countries such as Brazil, Colombia, El Salvador, Guatemala, or Honduras, more than 60 percent of femicides are committed with firearms (ib.: Geneva Declaration Secretariat, 2011: 118–120). In such cases, the distinction between a responsible armed citizen and a batterer or killer is only possible once the first crime has been committed or discovered.

Another example is vigilantism (Johnston, 1996), where firearms are frequently used to hurt or kill suspected criminals. Whether it is urban lynchings or self-defense militias, vigilante justice is a polemical and important issue in the region, especially in less institutionalized countries (Bargent, 2015). Literature is scarce, particularly on individual forms of vigilantism. Collective forms attract more attention. Santillán (2008) studies urban lynchings in Ecuador and finds that civilians use firearms to hurt or kill suspected criminals in 10 percent of these cases. Likewise, in many Mexican states, heavily armed self-defense militias have sprung up in the last few years to take on drug trafficking organizations. And while they have been somewhat successful and some have even been partially legalized, it is common for factions of the groups to criminalize and assume control of the criminal economy (Althaus and Dudley, 2014).

Full-time criminals also participate in the governance of security by using armed violence to enforce social control. As Arias and Rodrigues (2006) point out in their study on drug trafficking groups in the favelas of Rio de Janeiro, in many favelas drug traffickers and criminal groups are partially or wholly responsible for the resolution of disputes and for the control of (other) criminal activities. Firearms are commonly used and, needless to say, justice is not served in accordance to state laws nor—for the most part—to law enforcement agencies.

Finally, the “artificial dichotomy” is not just applicable to armed citizens, but also to legally acquired firearms. From the first sale and until used in a criminal offense, firearms can be resold, rented, or given away many times. Their theft is also common in the region, either for resale or for criminal purposes (Dreyfus, 2007: 61; Rangel Bandeira, 2012: 10). Consequently, local

studies show that most small arms used in crime are manufactured by state or private factories and sold by legal distributors to ‘responsible citizens’. This was the case for 74 percent of firearms seized in relation to crime in the cities of Brasilia, Rio de Janeiro, and São Paulo (Rangel Bandeira et al., 2007: 128–129), a proportion that corresponds with results from similar studies carried out in Buenos Aires (Dreyfus, 2007: 55) and Lima (SUCAMEC, 2014: 24–53).

Nodal governance and sovereign citizens

The preponderance of each of these roles within criminal victimization is influenced by the root causes, drivers and triggers of violence that were mentioned in the previous sections of this chapter. However, there are also operational and institutional deficiencies that obstruct the capacities of states to guide the behavior of armed citizens. Two factors are especially important.

First, citizen support and voluntary compliance are essential for the effectiveness of public policies in general, but are especially so for security policies, which depend on the ability of authorities to be authoritative, secure compliance and be obeyed. In turn, people comply with the law not so much because they fear apprehension or punishment, but because they feel that legal authorities are legitimate (Kane, 2005; Nivette and Eisner, 2013; Tankebe, 2013; Tyler, 1990). Unfortunately, political illegitimacy prevails in all Latin American countries to a greater or lesser extent (Lagos and Dammert, 2012; LAPOP, 2014). In 2011, only 33 percent of Latin Americans trusted the police, while just 36 percent considered that it actually protected them from crime (Lagos and Dammert, 2012: 56). An additional 43 percent even thought that the police were involved in criminal activities (PNUD, 2013: 116). The lack of legitimacy is so profound, that it seems reasonable to argue that in many states, as in weak states in general (Dupont et al., 2003), institutions in charge of security do not enjoy enough legitimacy to maintain order and impose obligations among citizens without coercion.

The second important deficiency is the lack of accurate information on firearms use and possession. States rely on knowledge and information for state social control. They require data and statistics to link private decisions and public objectives, so as to know in which situation subjects are and in which situation they should be, and devise ways of getting them from one state to the other (Rose and Miller, 2010: 282–285). However, the lack of information regarding small arms and users is one of the most complicated challenges that states face when tackling firearm regulation and proliferation. Either because of weak official oversight, deliberate state secrecy, or ideological or political opposition to transparency, inadequate user and firearm registries are a constant worldwide. In fact, only around 9 percent of the total suspected civilian arsenals is estimated to be registered with authorities (Karp, 2007: 39, 49). The situation is not much different in Latin America (Karp, 2012; Rangel Bandeira et al., 2007: 133), where investigative reports and

police seizures demonstrate that official registries only include a fraction of users and firearms in circulation (Dreyfus and Marsh, 2006; Otamendi, 2011; UNODC, 2015). As a consequence, policy authorities are mostly in the dark about how many armed citizens there are, how many firearms and what type they possess, as well as how these are being used.

It is ultimately in this context that firearm regulations perform. Moreover, in a region that already presents an explosive aggregate of risk factors for firearm violence. It is thus not hard to imagine how this combination facilitates a second –negative and harmful- role of armed citizens in the governance of security. Probably even making it more common than elsewhere. Under such circumstances, the conceptualization of armed citizens in scenarios of regulated governance is highly problematic, because their behavior evades state predicaments frequently and with ease. This does not mean that they cannot be part of active responsabilization strategies, but that the likelihood of these strategies eventually failing is relatively high. As stated, civilians are legally permitted to possess and use firearms for self-defense in every Latin American country. However, in practice, state control is highly limited in many parts and authorities pretending to benefit from armed citizens in this manner are descending a slippery slope.

As a result, many of those citizens who acquire and use firearms for defensive purposes can be conceptualized as nodes in a nodal governance model. This conception is relatively consistent with the “governance without government” model of Rhodes (1996) and is known in the criminological literature as “nodal governance” (Shearing, 2005, 2006). It assumes that state and non-state actors act as autonomous nodes within a network, working to govern security alone and in conjunction with each other. Essential to nodal governance is the possible autonomy of each node, so that many armed citizens could be considered “private governments” (Shearing, 2006: 11), not operating as governance providers on behalf of the state, but as auspices of governance in their own right. This conclusion is consistent with the findings of Dupont et al. (2003), who suggest that nodal governance is more common in developing countries, where the asymmetry between public security demands and the state’s capacity to fulfill them would provide a favorable environment for the emergence and establishment of independent non-state security providers. This would include private companies, vigilante and self-defense groups, as well as criminal organizations, in the worst cases.

Furthermore, in Wendy Brown’s (2010) study of modern nation-state walls, she concludes that walls appear to be signs of a post-Westphalian world, iconographic of the waning and erosion of state sovereignty. As visual paradoxes, they would project an image of security and sovereign jurisdictional power, but at the same time reveal the vulnerability and diminution of the state in relation to other kinds of global forces. Responsibilization strategies arming citizens in Latin America appear to be similar phenomena. They are also displays of punitive power. But while displaying the state’s strength and sovereignty, they reveal that citizens turn to firearms out of the

necessity to overcome their vulnerability, fill the state's void, and counteract feelings of living in "no man's land".

Brown (2010: 79) also recognizes that "subjects may sometimes identify with or as state sovereignty, and the state in turn may be identified with or as a vulnerable subject in need of protection". Carlson's (2014) gun toters follow this pattern. They buttress the state and feel as if they are fighting crime by its side. In contrast, many armed citizens in Latin America react to insecurity in contexts of profound state neglect and illegitimacy. States are usually not capable of arousing support and solidarity under such conditions. Consciously or not, and either as individual vigilantes or as participants in lynching mobs or self-defense groups, these citizens rather dispute the state's waning sovereignty and power. Hence, while Carlson's gun toters participate in the state's sovereign power as "sovereign subjects", we also identify armed individuals that rather reclaim their natural rights as "sovereign citizens".

The need for state leadership in the governance of security

In sum, the vast majority of firearms are acquired for defensive purposes, precisely as an instrument of self-defense against crime. However, the analysis concluded that firearms provide armed citizens with a dual role within security governance. Those who use firearms exclusively to control crime and do so within legal limits, may expand state capacities for action and influence. However, many others use firearms for alternative purposes or outside legal limits. They commit crimes, delegitimize authorities, and, ultimately, contribute to the growing insecurity. This second role is more common in Latin America due to the combined presence of risk factors and institutional deficits that hinder the capacity of authorities to influence how armed citizens behave. As a result, armed citizens are better conceptualized as nodes in a nodal governance model, because their behavior is autonomous and easily evades state predicaments.

These conclusions ultimately lead us to agree with Pierre and Peters (2005: 133–134) in the importance of adding a normative dimension to the discussions on governance. In this regard, we believe that state leadership in the governance of security is commendable, necessary, and essential in the pursuit of a more just and effective provision of security (Loader and Walker, 2006). At least in the Latin American region, the evidence shows that the conduct of autonomous security actors leaves much to be desired, often engaging in negative and harmful behavior that contradicts and undermines state laws and security policies. Ideally, states should only grant participation in this provision to actors which are under its effective leadership and control. To the extent that most -if not all- governments in the region are incapable of regaining the monopoly on legitimate violence or ensuring proper levels of safety for their citizens, we believe that this can only be a long-term goal.

Fortunately, many Latin American states are not indifferent to the risks posed by an armed citizenry. Firearm control policies are increasingly incorporating strategies that do not just seek to reduce their illegal possession and use, but also their general proliferation among civilians. In the extent that these programs coexist with laws that allow the use of firearms, it is an example of the contradictions that characterize contemporary security policies (Garland, 1996: 449). Some states assume a more coherent discourse than others, though. The Argentinian government, for instance, openly opposes the civilian possession of firearms for defensive purposes. Its National Weapons Registry (RENAR, for its Spanish initials) is not just solely responsible for the regulation of firearms, but also for “deconstruct[ing] discourses that create the perception that firearms protect those who carry them” (RENAR, 2014: 8 - Translated from Spanish³¹).

As the Empirical Analysis will show, the Brazilian Disarmament Statute (2003) and the Uruguayan RFOL (2014) can also be included in these efforts. Such a normative dimension was especially present in the Statute, which explicitly sought to discourage gun proliferation, even including the proposal of implementing a nationwide ban on the sale of firearms to civilians. The RFOL’s main goal is to deter the illegitimate use of guns, but many of its restrictions are also directed at reducing existing arsenals and discouraging their further acquisition. These policies ultimately manifest a discomfort with the risks that armed citizens pose for society, as well as a recognition of the state’s incapacity to enforce control upon them. The next section will go further into this issue and discuss the discursive context in which these policies emerged.

3.2 The small arms securitization process

As hinted in the previous section, it is not by coincidence that the proponents of the Brazilian Disarmament Statute and of the Uruguayan RFOL began their efforts at the end of the 1990s and beginning of the 2000s. Both policy processes must be understood in the context of the small arms movement (SAM) (Grillot et al., 2006), a much larger international effort related to a set of initiatives known as humanitarian arms control (HAC) that emerged in the context of the post-Cold War security agenda (Cooper, 2011). Among such initiatives were the highly successful 1997 Ottawa Treaty and the 2008 Convention on Cluster Munitions, which prohibited the use, transfer and stockpile of anti-personnel landmines and cluster bombs, respectively. The SAM was not able to achieve the same level of success as its predecessors, but it did attain a series of moderate successes, which will be reviewed below.

In any case, these initiatives developed through an expansion of the international security agenda. Traditionally, international security related exclusively to war and state sovereignty in an

³¹ “[...] *deconstru[yendo] los discursos que crean la percepción de que las armas protegen a quienes las portan*” (RENAR, 2014: 8)

understanding that derived from Hobbesian and Weberian theories of the modern territorial state. This conception began to change in the 1970s, due to economic and environmental crises that surpassed national borders. But it was in the 1990s, when terrorism and transnational crime imposed the need to extend the concept of international security beyond the restrictive logic of the sovereign state. Thus, it was the expansion of the international agenda that led to a reconceptualization of international security (DerGhougassian, 2011: 27).

Among the most prominent efforts to conceptualize this extension is the Copenhagen School's securitization theory of international relations (Buzan et al., 1998), which rejects the assumption that issues have a security label attached to them because they represent real and objective existential threats. Developed by Ole Wæver in 1995, the securitization theory argues that 'security' is a discursive act which serves to frame topics "either as a special sort of politics or as above politics" (Ib.: 1998: 27). That is, securitizing actors intend to move topics away from regular policy fields and into security areas, as a way to legitimize extraordinary means to solve socially constructed threats. Under this premise, security becomes both an intersubjective process and a self-referential practice.

Moreover, an act of securitization involves four components: (1) A securitizing agent that makes the securitizing movement; (2) an object (or ideal) that is identified as an existential threat; (3) a referent object (or ideal) that is being threatened and in need of protection; and (4) an audience that is the target of the securitization act and needs to be persuaded to define the issue as a security threat. Conversely, it is also possible for issues to be 'de-securitized'. That is, moved out of the security sphere and back into the ordinary domain of regular public policy, where extraordinary measures are no longer legitimized. Indeed, the Copenhagen School framework incorporates a normative preference for de-securitization, on the ground that it allows public problems to be handled in the ordinary public sphere and exposed to the normal haggling of politics (Ib.: 1998).

The securitization theory has been applied to a range of political issues, such as immigration, refugees, citizenship or human and minority rights, among others. Weapons have also been related to securitization processes, as in the case of the HAC initiatives, which managed to dramatically transform the way anti-personnel landmines, cluster bombs and even small arms and light weapons (SALW) were represented in the post-Cold War security agenda. As pointed out by Cooper (2011), weapons are technologies that were already thoroughly located in the security lexicon. Nevertheless, they are still susceptible to changes in the 'securityness' ascribed to them with consequences for the accompanying policy frameworks that regulate their use. In the particular case of small arms, this meant moving firearms further down the international security continuum (Ib.: 2011: 137), by imposing a narrative that defines them not just as worrisome but as a humanitarian issue and associates them with high levels of armed violence. This process was carried out by small states, civil society organizations and academics during the 1990s and 2000s

(Álvarez Velasco, 2016; Cooper, 2011; Cukier and Sidel, 2006; DerGhougassian, 2011; Garcia, 2004; Grillot et al., 2006; Hill, 2006).

3.2.1 The small arms movement at the global stage

The emergence of small arms in the international security agenda must be understood in the historical context in which it developed. The traffic of SALW existed during the Cold War period, but the focus of states and international organizations was put on weapons of mass destruction and other weaponry with the ability to change the balance of power in the international system (Dreyfus and Marsh, 2006: 6; Parker and Wilson, 2016: 39). Hence, small arms were on the periphery of the security agenda, as manifested by their omission in the 1991 United Nations (UN) Register of Conventional Weapons³² (Hill, 2006: 1).

Furthermore, global powers were actively engaged in large scale arms trafficking themselves and transferred mass quantities of SALW to third world countries with the objective of gaining political influence in strategic geographical areas (for instance, through the arms pipeline to Afghanistan, operated under the auspices of the USA). This dynamic, combined with the complete lack of initiatives to control their proliferation, established and consolidated a lucrative international market of SALW (Álvarez Velasco, 2016; DerGhougassian, 2011; Dreyfus and Marsh, 2006).

The collapse of the soviet bloc and the establishment of a unipolar world order did not end the massive legal and illegal transfer of weapons. On the contrary, arms producing countries found themselves with huge surpluses that had to be relocated to demanding markets. As a result, the production of SALW was oriented to meet the demands of armed forces, non-state actors and organized crime groups in countries with civil wars and internal conflicts. Their proliferation facilitated firearm violence, exacerbated crime and strengthened non-state armed actors at the expense of what often were already weak states. Thus, it should be no surprise that developing countries would later be the first national actors to call for international action regarding SALW transfers and proliferation (Álvarez Velasco, 2016).

³² The UN Register of Conventional Arms (UNROCA) is the only global mechanism for official transparency on weapon transfers between states. It was established in 1991 and reporting started in 1993. Since then, and on a voluntary basis, all UN members are yearly requested to provide UNROCA with information on the previous year's exports and imports of specific categories of arms that are 'deemed the most lethal'. This includes battle tanks, armored combat vehicles, large-caliber artillery systems, combat aircraft, attack helicopters, warships, and missiles or missile launchers. Despite the voluntariness, it is believed that most official transfers are captured in the Register. Reports include data provided by countries on arms transfers as well as information on holdings, domestic purchases and relevant policies. The register aims to enhance transparency and confidence between states and to prevent the excessive and destabilizing accumulation of arms. Since 2006, the General Assembly calls upon Member States to voluntarily include their imports and exports of small arms in their annual national report. Most countries submitting reports now include small arms in their yearly submissions (UNROCA - <https://www.unroca.org>).

Nonetheless, one of the consequences of the end of the Cold War was that the focus of the international community shifted from inter-state to internal conflicts, where the pervasiveness of SALW was becoming evident (Parker and Wilson, 2012: 26). But for small arms to enter the international security and disarmament agenda, first they would have to be securitized. As identified by Garcia (2004), such a securitization took place in the 1990s as a result of two parallel processes. On the one hand, the generation of knowledge regarding the relationship between SALW and armed violence. On the other, the official acknowledgement of the problem within the UN activity framework.

The first process was triggered by the violence plaguing developing countries, which attracted the attention of academics, public health and arms control practitioners, intrigued by the larger relationship between small arms and social violence (Álvarez Velasco, 2016; Cukier and Sidel, 2006: ch. 9; DerGhougassian, 2011; Garcia, 2004). An international ‘arms trade epistemic community’ developed (Garcia, 2004: 6), which produced its first scholarly articles in the early 1990s. As the impact of firearms in conflicting countries became more evident, both funding and participants increased. Research became more thorough and systematic, as firearm proliferation and traffic was associated with political, social and ethnic violence in African and Asian countries.

It was on the basis of this evidence and knowledge that the SAM began to emerge around 1997. This was a transnational effort to address the problems associated with small arms, carried out by a growing number of heterogeneous nongovernmental actors. Working individually or collectively, these actors began implementing a wide variety of small arms initiatives all across the globe (Cukier and Sidel, 2006: 206-240; Grillot et al., 2006: 65-68). The institutionalization of the SAM continued until 1999, year in which its members launched the International Action Network on Small Arms (IANSA) at The Hague (Netherlands). Heavily influenced by the International Campaign to Ban Landmines (ICBL) and its resounding success with the Ottawa Treaty in 1997, IANSA had the overall objective of stemming the proliferation and misuse of SALW in an effort to contribute to a more just and violence-free world, sustainable peace, development, human security, and respect for human rights (Grillot et al., 2006: 66).

The initial inertia of academics and civil society organizations regarding the dangerous potential of SALW could also be found among states and intergovernmental organizations. This is evidenced by the UN’s failure to include an appropriate disarmament mandate in its peace-keeping missions in Angola (UNAVEM I & II) at the beginning of the 1990s (Hill, 2006: 2). The first official acknowledgement of the problems and of the need for governments to take action would not occur until 1995. At the request of Mali’s government (Álvarez Velasco, 2016), UN Secretary General Boutros Boutros-Ghali explicitly drew attention to the need for ‘micro-disarmament’ efforts in his 1995 *Supplement to an Agenda for Peace*:

“[Small arms] are probably responsible for most of the deaths in current conflicts. The world is awash with them and traffic in them is very difficult to monitor, let alone intercept. The causes are many: the earlier supply of weapons to client States by the parties to the cold war, internal conflicts, competition for commercial markets, criminal activity and the collapse of governmental law and order functions (which both gives free rein to the criminals and creates a legitimate reason for ordinary citizens to acquire weapons for their own defense). [...] It will take a long time to find effective solutions. I believe strongly that the search should begin now”

(UNGA, 1995: Par. 63).

The UN General Assembly supported his proposal and requested a report on the matter. Two years later, in 1997, SALW officially entered the UN General Assembly’s agenda in the form of a report by a UN Panel of Governmental Experts on Small Arms³³. Together with a second report in 1999³⁴, these documents were crucial to define the problem and set the tone of discussion at the international stage and within the UN General Assembly (DerGhoughassian, 2011; Garcia, 2004; Krause, 2007; Parker and Wilson, 2012).

The result was the celebration of an international conference in July 2001 in which member states agreed on a *Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (Programme of Action, PoA)*. Although the PoA is not a legally binding instrument, its importance cannot be understated. It not just established a normative but also a practical framework under which a whole range of international efforts were pursued, ranging from initiatives to destroy surplus stockpiles of weapons, to post-conflict disarmament, demobilization and reintegration programs (Krause, 2007: 1). The focus of the PoA is set on the fight against small arms traffic and the regulation of its licit trade, as a way to reduce the human suffering caused by armed violence. It also addresses the manufacture, transfer, and storage of small arms, as well as their excessive accumulation (cf.: Parker and Wilson, 2012: 39–52). Its importance leads DerGhoughassian to consider its adoption and enforcement as the official inclusion of SALW in the international security agenda (2011: 24).

However, the PoA was very far from the success achieved by the ICBL with the Ottawa Treaty, which prohibited the complete use, transfer and stockpile of anti-personnel landmines. It did not address the regulation of civilian firearm use, for instance, which remained under the jurisdiction of national states. Consequently, the SAM continued its efforts and put its confidence on the long expected *Arms Trade Treaty (ATT)*, the campaign for which can be traced back to the beginning of the SAM in the mid-1990s (Parker and Wilson, 2016: 64). After many years, the UN General

³³ UN General Assembly A/52/298, August 27, 1997.

³⁴ UN General Assembly A/54/258, August 19, 1999.

Assembly adopted a first ATT resolution in 2006, but then several years went by without it being able to reach a consensus. The ATT would finally be adopted in 2013 and enter into force in 2014, after more than a decade of long and difficult negotiations. Arab and weapons-producing countries fought hard to limit its scope to international trade and leave out civilian regulations, as well as other relevant control instruments regarding the trade of ammunitions. As a result, the ATT made a significant contribution to the existing frameworks governing the international trade of SALW, but also weakened or turned discretionary various mandatory control measures of the PoA (cf.: Parker and Wilson, 2016: 64–74).

As various authors have suggested, the limitations of the ATT were expected, since its adoption came years after the SAM had lost much of its energy and enthusiasm. Despite achieving the entry of small arms in the international security agenda, the IANSA, in particular, and the SMA, in general, proved ineffective in reaching their self-imposed goals and objectives. Two particular reasons stand out for its underachievement (Álvarez Velasco, 2016; Grillot et al., 2006). First, the complexity of the problem and the complexity of the solution. In fact, firearm control policies must respond to what is arguably a ‘wicked problem’ (Rittel and Webber, 1973). That is, a problem for which there is no agreement on the definition nor on the solution:

“Because small arms are sold, transferred, moved, and otherwise acquired in various (legal and illegal) ways – and because gun violence may be the result of a multitude of factors, such as instability, corruption, and poverty, as well as gun availability and build-up – constructing a causal chain that is ‘short and clear’ remains quite difficult. Moreover, the ‘legal equality of opportunity’ concern also remains rather problematic in that guns of many different varieties are considered legitimate possessions, as police forces, military personnel, and individuals around the world are legally allowed to own and use such weaponry. Some may argue that the massive availability of small arms may impinge on one’s ‘legal equality of opportunity’ to live in a secure environment, but others argue that a legal opportunity to own and use firearms is and should be afforded to individuals, groups and governments for various reasons” (Grillot et al., 2006: 69).

A second main reason emerges as a consequence of the first. Namely, the lack of consensus among the participants of the SAM, both regarding strategies and goals. IANSA is mainly composed of small advocacy-oriented organizations, often operating at the national level (Cukier and Sidel, 2006: 225). Participants are bound together by the lowest common denominator, which is a fundamental concern about small arms. The heterogeneity of approaches to firearm violence and to possible responses did not allow the assumption of concrete collective goals, which led the

movement to set rather vague objectives, such as stemming the proliferation and misuse of SALW (Grillot et al., 2006: 79). To this should be added the general difficulties of maintaining a securitization process over time without the necessary funds and political power.

As a result of these dynamics, Álvarez Velasco (2016) argues that the past couple of decades have seen the rise and fall of small arms in the international security agenda. This statement might be too pessimistic. Although the ATT was not the international small arms regime that the SAM had hoped for, the proliferation of small arms is still considered a threat for developing countries and the matter is firmly grounded in the international security agenda (Parker and Wilson, 2016). It seems more appropriate to resort once again to Cooper's (2011) use of the 'security continuum'. Small arms progressively entered the international security agenda as of the mid-1990s, due to the dissemination of a narrative that defined them not just as worrisome but as a humanitarian issue, and associated them with high levels of armed violence. The 'securityness' (Ib.: 2011) ascribed to small arms reached a tipping point at the beginning of the 2000s, when the UN General Assembly was able to reach a consensus and adopt the PoA. Thereafter, the small arms securitization process began to recede, as the securitization agents (scholars, civil society organizations, international organizations and certain states) that formed the SAM lost their vigor and dispersed. Ultimately, the small arms case shows how securitization is not a definitive political construction, but a dynamic two-way process in constant change.

3.2.2 Firearm securitization in Latin America

As at the global stage, firearms have also been a part of a Latin American securitization strategy that has had its ups and downs, and was able to achieve moderate successes. What is interesting about the Latin American process, however, is that it started before the global SAM and was able to reap the benefits earlier as well. This is not surprising, since the region was already suffering from extreme levels of social and political violence in the mid-1990s, with similar murder figures to those it has today (CAF, 2014: 22).

Thus, it was in 1990 when the Organization of American States (OAS) first expressed its concern for the proliferation of small arms in relation to drug trafficking and organized crime (Álvarez Velasco, 2016: 151). It would also be due to the OAS that the occidental hemisphere would become the first region to develop a legally binding treaty on small arms, when the *Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials (CIFTA)* was celebrated in 1997 (OAS, 1997). The region would also be the first to conceive a procedures system to adapt national regulations to a regional treaty of these characteristics, with the adoption of the *Model Regulations*

for the Control of the International Movement of Firearms, their Parts, and Components and Ammunition (OAS, 1998) (Godnick and Vázquez, 2003a: 12).

As was the case in the global SAM, the Latin American securitization agents were mostly civil society organizations and states suffering from high levels of armed violence. They participated in the global SAM and were very much active at the beginning of the 1990s and beginning of the 2000s. CIFTA's adoption in 1997 was quickly followed by the development of sub-regional treaties that reinforced the CIFTA and the PoA, or intended to fill its gaps. This is the case of the 1998 *Southern Cone Presidential Declaration on Combating the Illicit Manufacture and Trafficking in Firearms*, the 2003 *Andean Plan for the Prevention, Combat and Eradication of Illicit Small Arms and Light Weapons in all its aspects* (Decision 552, CAN)³⁵ or the 2003 *Central American Program on Small Arms Control* (CASAC, 2003)³⁶ As we will see in the next section, these treaties were mainly concerned with the illegal traffic of firearms.

Nonetheless, both the international diplomacy and the efforts to maintain small arms in the regional agenda have declined since the mid-2000s, leading many national states to take individual action without regional coordination (Álvarez Velasco, 2016). Facing rising levels of violence, at least eight countries have hardened or adapted their national regulations since 2007: Peru (2007), Ecuador (2007), Paraguay (2010), Panama (2011), Venezuela (2013), Bolivia (2013), Uruguay (2014) and Chile (2015). And while these policies intend to tackle the specific firearm-related matters that each country experiences, the problem with individual efforts is that they are usually in disharmony with each other, producing contradictions among neighboring countries that can easily be taken advantage of by small arms traffickers and smugglers. The border between our case studies is a good example: Criminal investigations have demonstrated time and again that Brazilian criminal groups acquire firearms in Uruguay that are not authorized to be sold to civilians in Brazil. Their price in the Brazilian black market can be three times more expensive than their legal price in Uruguay (Barrenche, 2015; Dreyfus and Rangel Bandeira, 2006).

The Central American region can be seen as an exception in this regard. Prompted by its condition as main corridor for illegal traffic of SALW between the USA and Latin America, many of its national governments have remained active on the matter through small arms initiatives of the Central American Integration System (SICA, due to its Spanish initials). For instance, maintaining the dynamism of CASAC with newer programs, such as with the 2012-2015 *Project*

³⁵ Own translation from Spanish: “*El Plan Andino para la Prevención, Combate y Erradicación del Tráfico Ilícito de Armas Pequeñas y Ligeras en todos sus aspectos* (Decisión 552, CAN, 2003)”.

³⁶ Own translation from Spanish: “*Programa Centroamericano para el Control de Armas Pequeñas y Ligeras* (CASAC)”

to support the fight against the illicit accumulation and trafficking in firearms in Central America and neighboring countries, financed by the European Union.

Furthermore, the firearms securitization process differed from one sub-region to the next. For instance, Andean countries have low percentages of homicides committed with firearms and perhaps that is why the participation of civil society has been so low, both concerning research and the proposal of legislative changes. Thus, the policy modifications that took place in Peru (2007), Ecuador (2003) and Bolivia (2013) were purely top-down processes, with states as the principal securitization agents. On the contrary, in Argentina, Brazil and Central America, civil society organizations have been actively involved in small arms activities, providing firearm policy formation with social support and a strong bottom-up dimension (Álvarez Velasco, 2016: 152). As we will see in the next section, the involvement of civil society actors often entails a normative character, since they are usually the ones who relate firearm proliferation with armed violence.

In any case, the securitization of small arms or the changes in the ‘securityness’ ascribed to them (Cooper, 2011) often resulted in the adoption of international instruments or in the formulation of new firearm control policies and programs. These possibilities will be described in more detail in the following section.

3.3 Firearm control efforts

The multilevel character of the small arms problematic implies that firearm control efforts must operate at all levels of governance to prevent and respond to harmful dynamics taking place at the individual, local, inter-state, regional and global levels. Therefore, Krause (2007: 4–11) distinguishes small arms control initiatives into first and second generation measures. His distinction is not chronological, but emphasizes the general recognition that international treaties cannot be effective if not supplemented by firearm control policies at the national and local levels.

Thus, first generation measures are oriented towards the supply side of the problem and evolve out of the traditional model of multilateral diplomacy. They focus on those dimensions of the matter that demand multilateral initiatives, such as collective action problems or negative externalities. This includes the control of firearm and ammunition transfers among countries, as well as the fight against illicit traffic and the use of international tracing mechanisms. On the other hand, second generation measures usually focus on the demand side of the problem and on the local context in which firearms are embedded. This involves the adoption of a public policy perspective to approach the interplay between guns and complex and specific relations of power, wealth, crime and violence. Common second generation measures include security and firearm control policies, violence reduction programs and disarmament strategies.

The implementation of first generation measures usually implicates international organizations and national states, whereas the implementation of second generation measures demands a wider range of stakeholders. This is because firearm control policies have a wider focus and are not just concerned with small arms and armed violence, but conceive their control as a prerequisite for reducing general violence, underdevelopment, poverty, marginalization and political grievances. Hence, the formation, implementation and evaluation of second generation measures often demands the involvement of related policy communities. Usual participants come from the developmental, criminal justice, public health and human rights sectors (Krause, 2007: 8).

The following sections will take a closer look at the content of firearm control efforts, distinguishing between first and second generation measures, as well as initiatives that are usually carried out by civil society organizations.

3.3.1 First generation measures: International instruments

Firearm proliferation in Latin America and the Caribbean largely responds to the public security crisis. Beyond collectors, hunters and sport shooters, most armed citizens acquire firearms for self-defense, while amateur or full-time criminals also acquire guns for illegal purposes (Barragan et al., 2016; McDowall, 1995; Sanjurjo, 2016b; Spano and Bolland, 2010). In the latter case, access to small arms occurs through various legal and illegal channels (Braga et al., 2012; Cook and Braga, 2001). Someone might acquire a firearm in a legal store for legitimate purposes and then use it to commit a crime. However, drug traffickers or professional criminals will prefer firearms that are not registered to their names. Furthermore, they might prefer guns with a superior firepower, which may be restricted to security forces and cannot be purchased in a legal shop (for instance, high caliber semi-automatic pistols, assault rifles and sub-machine guns). This is where the local black market comes into play, partially made possible by the international traffic of small arms (cf.: Dreyfus and Marsh, 2006; Fundación Arias para la Paz y el Progreso Humano, 2009; Godnick and Bustamante, 2013).

Because these activities take place across international borders, no state can address the problem alone. Thus, states resort to international organizations to address this and other collective action problems. In the case of SALW, the UN international instruments constitute the highest level of regulation and a large share of the legal and normative frameworks that most Latin American countries enforce to control firearms at the international level (Parker and Wilson, 2016). Hence, these instruments address the international dimension of the SALW problematic. The focus is set on measures to fight SALW traffic and regulate their trade, as a way to reduce the human suffering caused by armed violence. They also address their manufacture, transfer, and storage, as well as

their excessive accumulation. These efforts have generated several instruments and processes that have mutually influenced each other. The following instruments are particularly significant:

- Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition, supplementing the United Nations Convention Against Transnational Organized Crime (Firearms Protocol, 2001);
- Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (PoA, 2001);
- The International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons (ITI, 2005);
- The Arms Trade Treaty (ATT, 2014).

Whereas the PoA and the ITI are only political commitments, the Firearm Protocol and the ATT are legally binding instruments for signatory and ratifying countries. In January 2016, the Firearm Protocol had been ratified or adhered to by the overwhelming majority of Latin American countries, with the exceptions of Belize, Colombia, Puerto Rico, and Surinam (United Nations Treaty Collection, 2016b). The ATT, on its part, came into force in 2014 and, so far, has only been ratified or adhered to by 11 of the 26 countries or territories considered (United Nations Treaty Collection, 2016a). While Brazil has signed but not yet ratified it, Uruguay ratified it in 2014. It should be noted that Cuba, Ecuador, Nicaragua, and Venezuela are not among the signatory countries. These states adhere to a de-securitizing discourse that considers such international treaties as political instruments that seek to maintain and concentrate military power on current global powers (Álvarez Velasco, 2016: 150).

Moreover, regional international organizations have also produced relevant mechanisms against illegal traffic and trade in Latin America (Berman and Maze, 2012). Two legally binding instruments stand out:

- The Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials (CIFTA, OEA, 1997);
- The Andean Plan for the Prevention, Combat and Eradication of Illicit Small Arms and Light Weapons in all its aspects (Decision 552, CAN, 2003)³⁷.

Broadly speaking, these instruments address problems related to the proliferation and irresponsible transfer of small arms, setting the necessary guidelines that national Governments

³⁷ Own translation from Spanish: “*El Plan Andino para la Prevención, Combate y Erradicación del Tráfico Ilícito de Armas Pequeñas y Ligeras en todos sus aspectos (Decisión 552, CAN, 2003)*”.

must follow to count with complete and coherent regulatory frameworks. They determine definitions, demand authorizations and licenses, establish guidelines for marking, tracking, confiscating and destroying firearms, require the establishment of national and international coordination and cooperation mechanisms, among others (Berman and Maze, 2012; Godnick and Bustamante, 2013; Godnick and Vázquez, 2003a, 2003b; Parker and Wilson, 2016).

Finally, since we are especially interested in analyzing firearm policy changes in Brazil and Uruguay, it is important to mention firearm-related dispositions addressed by the Southern Common Market (MERCOSUR), of which both countries are members. The political and economic agreement only addresses security issues at the inter-governmental level. Three developments stand out. First, the 1998 *Southern Cone Presidential Declaration on Combating the Illicit Manufacture and Trafficking in Firearms*, which led to the development of the *MERCOSUR Joint Register Mechanism* later that year. This mechanism allowed member countries to link their security databases and share information on the purchase, sale, import, and export of firearm through a common registry. Then, in 2001, the *Working Group on Firearms* was established, which intends to establish convergent security policies, improve controls on private security agencies and on national and regional stockpiles, as well as to raise awareness on small arms issues. Finally, a *Memorandum of Understanding on the manufacture and illicit trafficking of firearms* was adopted in 2004, with the objective of coordinating and improving the fight against illicit cross-border trafficking (Berman and Maze, 2012: 68–69).

3.3.2 Second generation measures: National firearm control policies

Beyond adapting first generation commitments to national legislations (e.g.: Small Arms Survey, 2014), firearm control policies intend to regulate firearm-related activities within the national territory. This includes the possession and use of firearms by official security forces, private security actors and regular civilians. As pointed out in former sections, civilians possess around 85 percent of all the estimated small arms in Latin America (Karp, 2012) and are largely responsible for the high rates of armed violence in the region. The regulation of civilian firearm possession is thus directly related to violence resulting from gangs, drug trafficking and organized criminal groups, domestic violence, urban crime and interpersonal violence, in general (Cawley, 2013; Gilgen, 2012; Sanjurjo, 2016a, 2016b). Unsurprisingly, the civilian possession and use of firearms has been debated in multilateral circles for decades. However, states have generally managed to evade most international control, so that the regulation of civilian firearms is largely absent from UN international instruments. In fact, the subject was specifically removed from the discussion agenda during the deliberations for the PoA (Parker, 2011: 3–5).

As a prerogative of each state, the large majority take one of two general approaches: either they consider the possession and use of firearms a privilege or they consider it a basic right. The first start with the premise that citizens should not be allowed to own firearms unless there is a good reason to allow it (e.g.: Brazil, Spain, Uruguay), while the second recognizes an automatic entitlement to their possession unless there is a compelling reason to bar them from doing so (e.g.: USA). Most states fall under the first category (Cook and Goss, 2014: 118; Parker, 2011: 5). Furthermore, firearm policies are usually an attempt to find an equilibrium between the legitimate legal use of firearms and the prevention of social harms, such as crime, interpersonal violence, and suicide. They do so by appealing to various policy instruments, the most common of which are presented hereunder (cf.: Parker, 2011):

- Limitations on who can legally acquire and own firearms, usually establishing a licensing system based on risk criteria such as age, mental and physical health, criminal record, drug dependency, public interest or competency. More strict systems go beyond these common criteria and consider the user's lifestyle, associates or employment history, among others. Furthermore, by passing additional requirements, users are often capable of acquiring an additional license that allows them to carry firearms in public;
- Requirements of a 'genuine reason' for owning a firearm or only permit it for certain purposes, such as hunting, sport shooting, or self-defense;
- Prohibitions or restrictions regarding the civilian access to weapons that the state deems inappropriate for civilians use, such as those that are better suited for military use or frequently employed in crime (for instance, high caliber semi-automatic pistols, assault rifles and sub-machine guns);
- Requirements about keeping a record of firearms in official registries, specifying the gun's specifications and owner;
- Restrictions on the quantity of firearms that each user can own;
- Impositions of fees and waiting periods for acquiring firearms;
- Conditions on how weapons should be stored;
- Restrictions on firearms transfers and retransfers;
- Penalties for unlawful use, sale, transfer and possession;
- References on how public security forces should handle the civilian use of firearms;
- Guidelines to implement voluntary weapon collection programs.

Since Bolivia enacted its first gun control policy in 2013³⁸, all Latin American countries have adopted legal measures to prevent firearm misuse and incorporate most of the former elements in some way or another. It is not possible to draw generalizations, however. Each legislative process responds to a combination of cultural, historical and constitutional factors, which themselves are largely dependent on a number of local factors. Among others, the local firearm culture, private interests, the existence of an own weapons industry, political mobilization and public sensitivity towards the issue. The resulting complexity and diversity of approaches make a comparative legislative analysis very difficult. Such an analysis is beyond our purposes³⁹, but *Table 1* offers a very broad overview of national gun laws that are often discussed in gun debates, as well as those currently implemented in our empirical case studies.

It is important to note that the comparison of national gun legislations has a descriptive-comparative value, but offers little information on the association between firearm control policies and firearm injuries or deaths.⁴⁰ Such information would be key to policy-makers, who design and implement civilian firearm regulations to prevent their misuse and consequent social harms. The real problem lies in the complexity of this association, however. Armed violence is a very complex phenomenon that needs to take many other factors into consideration. Hence, tracing alterations in armed violence back to specific firearm policies is extremely difficult (Cook and Goss, 2014: Ch. 7; Ludwig and Cook, 2003; Santaella-Tenorio et al., 2016).

For instance, in a recent and very ambitious meta-review, Santaella-Tenorio et al. (2016) review evidence from 130 longitudinal policy evaluations published between 1950 and 2014 regarding firearm control laws in 10 countries, including Brazil and Colombia. They conclude that there is enough evidence for two general observations: First, that the simultaneous implementation of laws targeting multiple elements of firearms regulations reduced firearm-related deaths in certain countries. Second, that some specific restrictions on purchase, access, and use of firearms are associated with reductions in firearm deaths. If their conclusions seem somewhat conservative, it is because scientific evidence of what kind of firearm laws and regulations are effective at reducing violence is often unavailable or deeply contested (Cook and Goss, 2014: ch. 7). Ultimately, civilian firearm regulations can only have a lasting impact if they manage to alter a

³⁸ BOLIVIA - Firearms, Ammunition, Explosives and Other Related Materials Control Law (Law 400), September 18, 2013.

³⁹ Regarding Latin American firearm control policies, a few scholars have compared a limited number of national legislations (Cawley, 2013; García Pinzón, 2012: 229–232; Parker, 2011)) or aggregated various case studies in a single publication (Dreyfus et al., 2003; Godnick and Vázquez, 2003a, 2003b; Sáenz Breckenridge, 2007). Unfortunately, none of these efforts is comprehensive or up to date.

⁴⁰ When it comes to analyzing the association between firearm control policies and firearm injuries or deaths, cross-sectional studies are the most common but also the most unsuited for the task. Longitudinal studies offer stronger evidence, since they examine how outcomes change, before and after a policy modification. Nonetheless, policy evaluations frequently show deficiencies stemming from validity problems that are common in observational ecological studies, as well as from the scholar's affiliations and personal interests biasing results (Santaella-Tenorio et al., 2016). As we will see in the Brazilian case study (*chapter 5*), these deficiencies are also valid for evaluations of firearm control policies in Latin America.

society's firearm culture and if they are accompanied by other policies that focus on the subjacent causes of violence and criminality.

Table 1: Firearm regulation in selected countries

	Firearms banned for civilian ownership?	Owner license required for non-prohibited firearms?	Requirements for firearm owner license?	Must demonstrate need to own?
Australia	Automatic, semi-automatic firearms, certain shotguns, short-barreled handguns	Yes	Background check; character reference in some circumstances; trainings course	Yes; hunting, sports, collecting, occupational needs constitute valid reasons; personal protection does not.
Brazil	Automatic firearms	Yes	Background checks; training course	Yes; protection is valid reason
China	All firearms, with very limited exceptions	Private ownership banned	Private ownership banned	Private ownership banned
Switzerland	Automatic firearms	Yes, dealer sales only; primarily for handguns	Background check; license limits number of purchases; training for concealed-carry license only	Yes; hunting, sports, collecting constitute valid reasons
Spain	Only handguns are allowed, except for hunters and shooters	Yes.	Background checks; medical & psychological evaluation;	Yes. Protection by itself is not a valid reason. Very restrictive.
USA	Machine guns, sawed-off long guns	No, except in a few states	No national license, but background check required for sales by dealers and by private sellers in some states	No
Uruguay	Automatic, semi-automatic firearms	Yes	Background checks; medical & psychological evaluation; training course	Yes; protection is valid reason

Source: Own elaboration based on Cook and Goss (2014: 118-119).

3.3.3 Firearm control efforts by civil society organizations

At last, as demonstrated by the global and regional small arms securitization processes, civil society actors play a prominent role in elevating firearm issues to agenda status. They pressure governments and international organizations to adopt stricter regulations and promote a discourse that is not just contrary to the illegal use of firearms, but also to their general proliferation among

society (Álvarez Velasco, 2016; DerGhougassian, 2007; Grillot et al., 2006). Moreover, their involvement goes frequently beyond the securitization of firearms, participating in the formation of gun policies and even in their implementation. Due to their close proximity to victims and communities affected by armed violence, their involvement can confer such policies with an important bottom-up dimension that improves their effectiveness.

Their activity has become especially noteworthy in many countries due to the organization of awareness campaigns and voluntary weapon collection programs. Awareness campaigns are often carried out by states and civil society organizations in order to raise awareness of the harms related to firearm proliferation and misuse. The focus is usually put on the civilian possession of firearms and on the risks that this condition implies: their theft by burglars, fatal accidents, suicides and their use in contexts of domestic violence to intimidate and kill women, among others (Hemenway, 2011; Kellerman et al., 1993). The goal is to place firearm-related issues in the public and political agendas, as well as to change the prevailing firearm culture.

Furthermore, voluntary weapons collection programs (VWCP) seek to prevent urban violence by reducing the number of weapons in circulation and prone to enter the black market. Unlike disarmament strategies directed to ex combatants in post-conflict settings (Alpers et al., 2003), VWCP use incentives that include amnesty, anonymity and some form of economic benefit or payment in kind, to motivate citizens to participate and deliver legal or illegal firearms at their disposal. By creating awareness among the population and rendering inoperable as many firearms as possible, these programs intend to influence both the supply and demand of firearms (Fleitas, 2010; Godnick, 2010; Wilson, 2014).

Overall, the results of VWCP have been widely divergent, which is why in the scientific literature prevails the idea that these are not effective instruments to reduce crime and armed violence (Cook and Goss, 2014: 138; Wilson, 2014). Indeed, those who deliver their firearms are usually low-risk users, without violent or criminal intentions. Criminals do not usually participate, unless there is some perverse economic incentive that allows them to deliver old firearms and access newer ones (Godnick, 2010: 264). Still, the evidence shows that within the right context, VWCP can mobilize civil society and have a positive influence on local armed violence. To do so, they must be comprehended within a wider battery of measures and an integral strategy to combat crime and violence (cf.: Wilson, 2014).

The most satisfactory example in the region was the Brazilian Voluntary Weapons Collection Plan, included in the Disarmament Statute of 2003. Implemented by the federal government and several civil society organizations between July 2004 and October 2005, it led to the collection of 460 thousand small arms, which implies a rate of 2,5 firearms per every thousand inhabitants (Fleitas, 2010: 27–33). Subsequent evaluations confirmed a positive impact over rates of suicide

and homicide committed with firearms –especially in the city of São Paulo- and point to the apparent combinative approach of stricter gun control laws, the removal of a significant number of weapons from circulation, improved law enforcement, and the mobilization of civil society (Goertzel and Kahn, 2009: 405; Otamendi, 2011: 117).

3.4 Summary

Crime and violence have increased sharply in Latin America since the end of the 1990s, positioning the region in the first place of the regional classification of homicides, both in absolute numbers as in relation to its population. There are roughly 400 murders each day in the region, circa 140,000 per year, as insecurity has turned into the main public concern of its citizens. Social and political violence are an endemic and permanent feature of nation-building in the area, but the current violence is different. There are no interstate armed conflicts nor civil wars. Instead, crime and violence are more plural and democratic than ever before, indiscriminate and perpetrated among citizens.

Firearm proliferation is a crucial aspect of this democratization of violence. Their use as murder weapon is more frequent than anywhere else, constituting more than 80 percent of homicides in several countries. Their use in non-lethal forms of crime increased as well, while insecurity and distrust in authorities have motivated a higher disposition to acquire them as instruments of self-protection. The latest estimates suggest that there are approximately 63 million small arms in the region and 85 percent of them would belong to civilians. These numbers are low when compared to the USA or to many countries in Western Europe. Nonetheless, the incidence of firearms in crime in violence is not determined by their sheer quantity, but by their proliferation in combination with other causes, drivers and triggers of violence. To name just a few, extreme economic inequalities, high percentages of young men who do not work nor study, the presence of drug trafficking and organized criminal groups, or group conflicts that involve retaliation.

Furthermore, the overwhelming majority of citizens acquire guns for defensive purposes, to defend themselves and their families against crime. They are thus the main target group of gun control policies and among the most affected by their regulations. In this regard, they possess a dual role within the governance of security. Those who use guns exclusively for self-defense and do so within the legal limits, effectively extend the state's capacities for action and influence regarding the provision of security. However, there are others who eventually use firearms for alternative purposes or outside the legal limits. They commit crimes, delegitimize authorities and contribute to the growing insecurity. This second role is more common in Latin America due to the combination of risk factors and institutional limitations that hinder the capacities of the

regulatory state. This includes the serious legitimacy deficits of authorities in charge of security and the lack of reliable information regarding guns and user.

As a result, their conceptualization in scenarios of regulated governance is highly problematic, because their behavior evades state predicaments with ease. Instead, citizens who acquire guns for defensive purposes can be better conceptualized as nodes in a nodal governance model, which supposes an autonomous participation in the provision of security. In accordance, armed citizens in Latin America do not operate as security providers on behalf of the state, but as own auspices of security in their own right. Additionally, unlike their counterparts in the industrial world, many armed citizens in Latin America react to insecurity in contexts of profound state neglect and illegitimacy. Against this backdrop, it is relatively more common for them to dispute the state's waning sovereignty and power. Thus, while the international governance literature defines armed citizens who participate in the state's sovereign power as 'sovereign subjects', we also identify individuals in the region that rather reclaim their natural rights as 'sovereign citizens'. This is evidently an additional challenge for most Latin American states, as they already have a monopoly on legitimate violence that is precarious at best.

Despite the risks and challenges posed by the proliferation of firearms, public efforts to control their acquisition and use have been timid in the region. Luckily, this is not the case in every country. Since the end of the 1990s, several states are manifesting their discomfort with the risks posed by an armed citizenry and are changing their laws accordingly. By adopting policies and strategies that not only seek to reduce the illegal possession and use of firearms, but also their general proliferation, states are beginning to recognize their incapacity to enforce control upon the situation. The Brazilian Disarmament Statute and the Uruguayan Responsible Firearm Ownership Law (RFOL) are good examples of these efforts.

Both policy changes must also be understood as part and consequence of the small arms movement (SAM), an international effort by scholars, practitioners, civil society organizations and various states to securitize small arms. That is, to place small arms and light weapons on the international agenda by defining them as a humanitarian issue and associating them with high levels of armed violence. This process has been carried out by the SAM with relative success since the second half of the 1990s, achieving the adoption of several multilateral instruments to control firearms-related activities at the international level. Among its crowning moments were the adoption of the PoA by the UN General Assembly in 2001 and the adoption of the ATT in 2013.

Furthermore, the civilian possession and use of firearms has been debated in multilateral circles for decades, but states have generally managed to evade any international control. Its regulation remains the prerogative of each state, for which most governments take one of two general

approaches: Either they consider gun possession and use a privilege or they consider it a basic right. As most countries, Brazil and Uruguay draw from the basic premise that citizens should not be allowed to own firearms unless there is a good reason to allow it. Moreover, since civilians are largely responsible for crime and violence in the region, gun control is directly related to homicide rates and to violence resulting from gangs, domestic violence and interpersonal violence, in general. Therefore, gun policies are usually an attempt to find an equilibrium between the legitimate legal use of firearms and the prevention of social harms, such as crime, interpersonal violence and suicide.

Finally, all Latin American countries have adopted gun control measures of some sort, but it is not possible to draw generalizations. Gun policies respond to a combination of cultural, historical and constitutional factors, which themselves are largely dependent on the local firearm culture, private interests, the existence of an own weapons industry, political mobilization and public sensitivity towards the issue, among others. It is also not possible to draw conclusions on what kind of firearm regulations are most effective at reducing violence, because the scientific evidence is inconclusive. Ultimately, armed violence can only be reduced by changing a society's firearm culture, for which gun policies must be accompanied by measures that focus on the root causes, drivers and triggers of violence and criminality.

The following chapters suppose the central parts of our study, the conceptual framework and the empirical analysis.

Chapter 4: Conceptual framework: Theories of the policy process

While the Methodological Approach chapter served to explicit the wider ideas that we advocate in our work, in this chapter we will develop these ideas and present the concepts and beliefs that have informed explanations about the policy process. While we will resort to existing theory and research in a deductive manner (Yin, 2011: 93–94), this chapter is far from a literature review. We intend to do a critical analysis of the existing models and theories of the policy process and put their authors in discussion with each other, thus arriving to a conceptual framework and theory that is adequate for our study and capable of guiding our research (cf.: Maxwell, 2013).

The first section will present the research area known as ‘policy studies’ and its main subject matter, the policy process. The second section presents a literature review of one of its most relevant components, the agenda-setting process, where John Kingdon’s (1984, 1995) work occupies a prominent position. The third section will address the conceptual tools that public policy scholars have developed to understand and explain the causal mechanics that account for policy trajectories and change. This includes an analysis of traditional or one-dimensional approaches, as well as a thorough review and comparison of the most prominent synthetic or multidimensional frameworks and theories of the policy process: The Multiple Streams Framework (MSF), the Punctuated Equilibrium Theory (PET) and the Advocacy Coalition Framework (ACF). The chapter ends with a summary and the reasons that explain the convenience of adopting the MSF as the theoretical framework of our research.

4.1 Studying the policy process

Harold Lasswell, considered the founder of policy studies, believed that policy sciences should be concerned with “knowledge *of* and *in* the decision processes of the public and civic order” (1971: 1). *Knowledge in the policy process* is usually referred to as ‘policy analysis’ and refers to the normative endeavor of incorporating data and expertise to improve the rationality of policy decision-making. It aspires to define the best policy instruments and procedures, guiding the decisional process to achieve results more efficiently and effectively. Conversely, *knowledge of the policy process* is identified with a ‘policy studies’ approach and refers to the task of understanding the origin and trajectory of a policy decision or set of decisions. This approach is more in line with the objectives of pure science and seeks to shed light on the causal relations that explain developments in the policy process (DeLeon, 1997: 6; Navarro, 2008: 235–236; Weimer, 2008).

Our endeavor falls within the policy studies approach. We seek to understand, explain and compare the origin and trajectory of two distinct firearm control policies. This implies looking at strongly interrelated aspects of the policy process from a comparative perspective: agenda-setting,

the development of alternatives and policy decision making. The last two aspects are frequently termed policy dynamics or policy formation.

- Agenda-setting is the process by which public issues are constructed and defined, and then gain or lose the attention of the public and elites. Its research attempts to trace the causal paths along which these issues travel and predict which ones may eventually reach the decision agenda (Birkland, 2006; Majone, 2006). Also studied are the causal stories that define issues and determine how they might be prevented or mitigated in the future (Stone, 2011).
- Policy dynamics or policy formation is the process by which policies stay constant or change over time. The objective is thus to understand and explain why, when, and how constancy and change occur. Because “policy is always changing” (Hogwood and Peters, 1982: 230), it is the study of a condition that is immanent to all policies. For most approaches, large or radical changes are rare phenomena, while the normal flux of policy change is termed ‘incremental’ (Lindblom, 1959), ‘successive’ (Hogwood and Peters, 1982) or ‘secondary’ (Sabatier and Jenkins-Smith, 1999), limited by ‘path dependent’ processes (Pierson, 2000). Changes can involve the definition of the problem that the policy addresses, the goals pursued, the instruments used, the distribution of resources or the institutions involved. They might also involve the policy’s time-scale, mode, scope or directional logic, among other aspects (Bardach, 2006; Baumgartner and Jones, 2009; Capano, 2009; Capano and Howlett, 2009a, 2009c; John, 1998; Sabatier, 2007a, 2007b).

Agenda-setting and policy dynamics are not independent phenomena. The rise and fall of issues in the political agenda can have consequences for the policy in place. Traditional political science assumed that the attention to issues by policy-making elites did not signify a presumable change in policies, since it was a common symbolic gesture for the masses. But modern empirical studies show that when the government increases its attention to an issue, the likelihood of serious policy change increases as well (Baumgartner et al., 2006: 959). To understand the role that agenda-setting played on the policy dynamics under examination, we must acknowledge these phenomena as interrelated and resort to conceptual tools that can incorporate their relation in the analysis. Hence, theories of agenda-setting and policy dynamics can complement one another (Schlager, 2007: 297). This leads us beyond agenda-setting and policy dynamics, and into the broader study of the policy process.

Overall, the study of policy processes implies the search for causal mechanisms that explain policy changes and trajectories. These causal mechanisms are small sets of interrelated propositions that underlie the complexity of larger phenomena. Empirical social researchers use

conceptual tools to relate social, economic and political elements into such causal mechanisms. They use them to simplify causation, since these tools can tell the researcher what to look for - what is important and what should be ignored- and define categories in which to group phenomena. They are usually based on claims about the nature of human action and power, and seek to provide a simplified -but still coherent and consistent- account of the social world.

While such tools were traditionally known as theories, nowadays a distinction is made between variants with different scope and specificity. Authors frequently use them in conflicting senses, but frameworks provide theories with the variables and relationships needed to explain phenomena. Theories delve into these relationships, providing directions and hypotheses. Lastly, theories are tested and evaluated through models, which are representations of specific situations. Therefore, frameworks, theories and models can be set along a continuum with decreasing scope, but increasing interconnectedness and specificity (cf.: Ostrom, 2007; Sabatier, 2007b; Schlager, 2007).

The problem of devising conceptual tools that simplify the policy process lies in its complexity. Policy processes occur within ‘complex systems’, characterized by the multiplicity of interactions between their components and between their components and the emergent system (Bardach, 2006). Agenda-setting, policy formation and policy dynamics are deeply interrelated phenomena, occurring within multidimensional and multi-driven policy processes. These processes follow decisions based on limited information and high levels of uncertainty (Simon, 1957), exhibit positive and negative feedback cycles (Baumgartner and Jones, 2009; Pierson, 2000) and transcend policy stages, policy areas and even branches of government. They are extremely inclusive, encompassing all forms of political actors and institutions with potentially different values, interests, perceptions and preferences. From voters to interest groups, researchers, journalists, governmental agencies, legislatures, bureaucracies, international agencies, local governments or citizens. Lastly, the term ‘process’ connotes a temporal dimension, during which actions, events and decisions culminate in an authoritative decision. The policy process involves time spans that can last decades and that is why its study usually involves a reasonably long time perspective (Baumgartner et al., 2011).

One consequence of this complexity is that policy processes are usually disaggregated in a number of issue-oriented policy subsystems, in which communities of experts and specialists operate and try to advance their interests. Such a mechanism is more efficient, since it allows the political system to engage in parallel processing and consider a high number of issues at the same time (Baumgartner and Jones, 2009). Each policy area is different and the processes that take place in them vary as well (John, 1998: 5–8), even in relation to national political traditions or constitutional laws. The actors, power balances, patterns of bargain, opportunities and constraints, resources and instruments, are all part of dynamic processes that differ greatly from one policy

area to another. Because of this disaggregation and additional complexity, the study of public policy breaks with the traditional unitary character of modern states in political science and studies each policy subsystem in its own right. Our endeavor will be centered in the security and firearm control policy fields, which are expected to vary greatly between our cases of study.

Another consequence of the complexity of policy processes is the absence of clear chains of causation (Sabatier, 2007b: 6–7), such as from the public agenda to political parties, then to government and the administration. Indeed, the multiplicity of causes, feedbacks and logics at work, all make sequential explanations unfeasible and undermine conceptual tools based on policy stages. This includes the traditional ‘stages heuristic’ or ‘textbook’ approach, which was the most influential framework for understanding the policy process until the 1980s (cf.: DeLeon, 1997; Jann and Wegrich, 2007). Originally conceived by Lasswell (1956), this framework divides the policy process into stages in a policy cycle, and discusses the factors affecting the process within every stage. *Problem definition, agenda-setting, formulation of policy alternatives, policy decision, implementation and evaluation* became the most usual stages in future versions.

Nowadays, the stages model is still broadly used to organize and systematize public policy research and most theories of the policy process still turn to it to explain certain phenomena (Cairney, 2015: 487; Jann and Wegrich, 2007). However, despite its utility to understand the policy cycle, real policy processes do not resemble such a model in any way. The complexity of it all makes it impossible to classify real dynamics into discreet and sequential stages. In addition, the stages model is not a theoretical framework *per se*, since it does not offer causal explanations for the transition between different stages (Sabatier, 2007b: 7).

So while simplification is an absolute necessity, the contemporary policy literature agrees on the need for complex and causal theories to explain the policy process (Baumgartner et al., 2009; Capano and Howlett, 2009c; John, 2003; Sabatier, 2007a, 2007b). This is quite a challenge, though. Theories must simplify extremely complicated processes while taking their complexity into account. Perhaps because the stakes are so high, there is still no unified or prototypical paradigm to study the policy process. Instead, there is a whole range of different approaches, models, theories and frameworks (Cairney and Heikkila, 2014; Schlager, 2007) with no general explanatory theory in sight. Usually a new tool becomes common currency among researchers, only to be replaced by another one a few years later. Overall, one could say that each tool sheds light on different aspects of a thorough explanation that is yet to be found.

Policy scholars have different interpretations of this plurality. Bardach (2006: 360), Cairney, and Heikkila (2014: 316–317) are optimistic. In their opinion, our conceptual understanding of the policy process is so rudimentary that the depth and vibrancy of the field is welcomed. They consider all approaches to be promising in their own way and urge to work on them all. Meier

(2009) refutes this strategy as unambitious. Policy scholars should stop wasting time fine-tuning existing theories, instead of dealing with those key questions that would take policy studies a step further. Finally, Capano and Howlett (2009a: 223–224) see no alternative to plurality. The complexity and inclusiveness of the policy process would make its research agenda a work-in-progress that can never be defined, always a step beyond the researcher's grasp. In consequence, the pursuit of a prototypical conceptual framework would be futile, ontologically mistaken and methodologically misleading. In that case, Capano (2009: 26) suggests that the design of different conceptual tools for different types of policy change could be a more promising approach.

Either way, there still is no silver bullet to explain or understand the policy process. Moreover, it is an area of policy theory that is not conducive to systematic comparison. Theories use highly ambiguous and fluid terms, have different purposes and scopes, and explore processes at different levels. Hence, determining which theories are best is no easy task (Cairney and Heikkila, 2014; Capano, 2009; Schlager, 2007). We will return to this topic as we compare the reviewed theories of the policy process. First, the following section will review the agenda-setting literature.

4.2 The agenda-setting literature

Studies of policy agendas fall within a broader literature on agenda-setting, which is the process by which public issues are constructed and defined, and then gain or lose the attention of the public and elites (Baumgartner, 2001; Baumgartner et al., 2011; Birkland, 2006; Majone, 2006). Its specific research first emerged in the 1960s, when scholars started doubting the pluralist's view that any social group with a legitimate problem could potentially gain access to the political agenda (Dahl, 1961; e.g.: Truman, 1951). Schattschneider (1960) was one of the first to conceive the composition of the political agenda as a fundamental part of the political process. He focused attention on how political debates and, hence, agenda-setting, often grow from conflicts between two actors. The less politically powerful actor seeking to 'socialize' the conflict to a broader political arena (conflict expansion), whereas the more advantaged actor seeking to 'privatize' it. Bachrach and Baratz (1962) provided another decisive critique of pluralism by introducing the concept of a 'second face of power' and noting that the authority to choose between alternatives could be less important than the ability to control what alternatives were under discussion in the first place. Such criticism proved effective, but was not able to convince everybody. The inconsistency of not being able to discern how a neutral political agenda would look like was a serious challenge for its advancement (Baumgartner, 2001).

Nonetheless, it led many scholars to be aware of the importance of the political agenda as an area of research and to study not just decision-making, but also non-decisions and agenda control. Among the most important developments was Cobb and Elder's (1972) distinction between the

group of issues under discussion in society (systemic agenda) and in government (institutional or governmental agenda). Since then, researchers have distinguished between the public agenda, media agenda, legislative agenda, among others, as they have focused on specific political institutions and on how issues gain and lose their attention. Similarly, tracing how all kinds of policy participants influenced agenda-setting also proved a crucial line of research for the subfield. The theoretical basis of the public agenda was Lippmann's (1965) research on the news media as a filter for reality, further refined by McCombs and Shaw's (1972) study on the media's ability to set the public agenda. It was then Cohen (1963: 13), who famously argued that the press "may not be successful much of the time in telling people what to think, but it is stunningly successful in telling its readers what to think about". Other pioneering work includes McAdam's (1988) study on the successes of civil rights movements in the 1960s, Rochon's (1998) analysis of peace movements in Western countries and Neustadts' (1960) work on the role of the US President.

Another important theme has been issue definition. Among the most important contributions is Cobb and Howard Ross' (1987) collection of essays studying how policy actors keep issues off the agenda (agenda denial) and Stone's (1989, 2011) analysis of how policy entrepreneurs frame issues with a narrative that defines the problem in a way that justifies a particular policy solution. Rochefort and Cobb (1994) also edited a set of essays that showed how the understanding of a certain issue by the public and the media could change over time, sometimes dramatically. Finally, the collection of essays edited by Riker (1993) used social choice theory to show how skillful politicians resort to agenda control and issue-definition to influence decision-making.

The next major qualitative leap came in the 1980s with the recognition of the fundamental role that agenda-setting plays in policy dynamics. Agenda-setting was namely at the core of the causal explanations of two multidimensional theories of policy change, whose theoretical basis still prevails. The first was Kingdon's (1984, 1995) Multiple Streams Framework (MSF) (*see 4.3.2.1*), which builds on the Garbage Can Model (GCM) of Cohen, March and Olsen (1972) and proposes that an issue can only get on the political agenda if three different processes encounter: The problem, the solution and the political processes. Generally, all three must come together in order to get the political attention to use an available solution to solve an existing problem. The second theory was Baumgartner and Jones' (2009) Punctuated Equilibrium Theory (PET) (*4.3.2.2*), which assumes that due to several restraints, policy changes are usually incremental, but occasionally give rise to dramatic changes (*see chapter 4.3.2.2*). When the latter happen, they often upset long-standing equilibriums of behavior and power, and replace them with new ones. Policy is thus characterized by long periods of stability, only rarely punctuated by dramatic changes as a consequence of large shifts in society or government. Both the MSF and the PET will be reviewed in detail further on in this chapter.

Since then, the agenda-setting subfield kept evolving to develop a more complex and dynamic understanding of how the different agendas work and who influences its equilibriums and punctuations. Since the foundations of the subfield were largely developed with the USA federal government in mind (Baumgartner et al., 2006; Kingdon, 1984; Schattschneider, 1960), an especial effort has been made to move beyond the institutions that are traditionally studied and discover new dimensions of the process. Following Eissler, Russel and Jones (2014), the recent scholarship in the subfield can be broadly categorized in three subtopics.

First, scholars have made a great deal of work in the analysis of agenda-setting within state and local institutions. The basic principles of the agenda-setting process are also present at lower institutional levels, but their particularities call for specific studies that analyze agenda dynamics beyond the activity and influence of the national government (Lowery et al., 2011). For instance, research has shown that state and local actors try to manage their own agendas without outside influence of the national government (Heidbreder, 2012), but without renouncing to influence the national agenda according to their own interests (Leckrone and Gollob, 2010).

Another popular research line deepens understandings on the role of the media in the agenda-setting process. On the one hand, the way agenda-setting is defined and analyzed varies strongly between policy studies and political communication studies. Hence, policy scholars are trying to find common denominators to bring these two literatures together and open up promising research venues (Boydston, 2013; Wolfe et al., 2013). On the other hand, policy scholars are finding new ways to study the media's effect on the policy process, such as the positive feedback that links the media with elite interests and attention (cf.: Eissler et al., 2014: 76–80).

Finally, the largest expansion has taken place in comparative policy studies, a subfield that has experienced consistent development in the last fifty years (Gupta, 2012). The main question is to what extent the findings of the agenda-setting tradition can be generalized from their US base. That is, if they are caused by the structural design of the American political system or are a universal phenomenon rooted in the nature of human decision-making (Baumgartner et al., 2006, 2011). Among promising research lines, is the study of agenda-settings within supranational institutions (Alexandrova et al., 2012) or the comparative analysis of agenda-settings with path dependency theories. Path dependency is the belief that historical policy choices set governments and organizations on specific trajectories that eventually preclude or make more difficult the possibility of making other choices in the future. This is because, as time passes, the original choices create dominant frames that entrench interests and institutions (Pierson, 2000).

As scholars expand agenda-setting beyond the traditional US national institutions, they broaden the applicability of the agenda-setting principles and offer new insights for its study. The subfield keeps becoming ever more complex, as scholars do not just attempt to understand its specific

mechanisms, but also its role within policy formation, policy dynamics and ultimately the larger policy process. Baumgarten and Jones's (1993, 2009) PET and Kingdon's (1984, 1995) MSF are the best examples of a research tradition that engages agenda-setting as a fundamental cause of policy dynamics. Recognizing that theories of agenda-setting and policy dynamics can complement one another (Schlager, 2007: 297), both theories integrate the agenda-setting literature into their causal mechanisms to help explain policy change. By doing so, they enter the broader study of the policy process. The next section will review and discuss the most influential approaches of this field of study.

4.3 Theories of the policy process

Despite the difficulties that the policy process entails, the policy studies literature has developed an impressive assortment of powerful conceptual tools that offer compelling accounts of its trajectory (Cairney and Heikkila, 2014; John, 1998; Sabatier, 2007a, 2007b; Schlager, 2007). Their usefulness and effectiveness is a topic of discussion among contemporary researchers, who often disagree on which tools signified a stepping stone for policy studies.

Peter John (2013) identifies two ages in the study of public policy. The 'classic period' –from the 1960s to the 1980s- involved the definition of key terms and debates about the nature of decision-making and the availability of full information. Incrementalism (Lindblom, 1959), the stages models (DeLeon, 1997) and sectoral representations of decision-making were all elaborated during this period. Broadly speaking, the causal theories of the policy process that developed during this period considered policy developments to be direct outputs of macro-factors. Policy change was usually explained in terms of a specific, sometimes single, element or dimension. The *explanans* or independent variables focused only on institutions and institutionalization, for example, or considered only the activity of strategic actors or political parties. Other elements taken into consideration were socioeconomic events, individual entrepreneurship, interest groups, networks, ideas and paradigms, among others. Overall, such explanations enjoyed high causal parsimony, but were incapable of grasping the complexity of the policy process. More elaborate theories were needed.

The last decades of the twentieth century were of major progress for the discipline in this regard. The 'synthetic age' (John, 2013) developed in reaction to one-dimensional approaches. Unlike approaches and theories from the 'classic period', synthetic frameworks and theories saw the policy process as a complex phenomenon of a 'heterarchic' nature (Capano, 2009: 19), with various factors converging and influencing policy decision-making. Considerations on the role of ideas and on agenda-setting dynamics were also highly influential. It is fair to say that three

synthetic approaches stand out for most modern policy scholars⁴¹ (Real-Dato, 2009): The Multiple Streams Framework, the Punctuated Equilibrium Theory and the Policy Advocacy Coalition Framework. Their use over one-dimensional approaches meant a greater depth of understanding at the expense of causal parsimony. Still, most authors consider this development as irreversible, since the older kind is incapable of accounting for the intrinsic complexity of the object of study (Capano and Howlett, 2009c; John, 1998; Sabatier, 2007b).

Despite their reduced validity, this analysis should also take into account the approaches and theories from the classic period. Primarily, because multidimensional approaches are built upon these and bring together much of their research. For this reason, a typology of one-dimensional approaches will be outlined first, before continuing with the three synthetic approaches mentioned above.

4.3.1 Traditional or one-dimensional approaches

When it comes to organizing single or one-dimensional approaches, Peter John's proposal is again a common reference. John (1998, 2003) conducted a thorough review of the amalgam of proposals and theories that reduced the complexity of policy processes to conceptual schemes based on the primacy of one principle or social dimension. According to him, these can be broadly organized in five sets of approaches.

The paradigm of the first half of the 20th century were *institutional approaches*, directly imported from mainstream political science and already discussed in classical writings by Plato, Montesquieu or de Tocqueville, among others. Although the distinction among different variants of institutional approaches is frequent (March and Olsen, 1984; Peters, 2005b), especially between old and new institutionalism, the relativity of these temporal references makes it convenient to treat them as parts of the same group. Institutionalists consider the institutional context to be the key element of the political system, because formal structures and embedded norms have an important effect on human action. Electoral systems, party systems and operating procedures, are all based on rules and patterns that constrain and configure the behavior of public actors and thus of policy processes. Steinmo (1996), for example, argues that the differences among tax policies and their trajectories in the United States, Sweden and Great Britain can be attributed to different institutional frameworks that predominate in each country.

As institutions set out routines and constrain actors, their influence on policy variation and stability is undeniable. However, sudden policy changes are harder to explain on account of institutional elements. Structures and norms are not usually characterized by their dynamism, but

⁴¹ For a more detailed overview of synthetic approaches, see Schlager (2007), Cairney and Heikkilä (2014).

by their stability. Policy dynamism is thus a challenge for these approaches, that must rely on the possibility of institutional reform and adaptation. For example, as a reaction to the influence of a powerful new set of interests and concerns, or when new groups of actors gain institutional power and control over structures of the state. Institutions are susceptible to such alterations, but these can hardly explain the dynamism of the policy process. Therefore, institutional approaches are best to explain variance, equilibriums and stability, but difficulties arise with policy mutations.

A second group of approaches that were imported from mainstream political science are those that focus on *socioeconomic causes* of policy change, which appeared in reaction to the lack of attention by early political science to the wider social and economic environment. These approaches suggest that policy makers are strongly determined by the 'policy context'. Among others are socioeconomic circumstances and powerful economic forces that influence the agenda, constrain actors and ensure interests. Marxists accounts were especially prominent, focusing attention on the influence of elites, property and capital on the political system. Miliband (1969) and Domhoff (1971), for instance, show how a number of policy changes in Great Britain and in the United States are exclusively representative of the interests of private and public elites.

This greater focus on economic circumstances and to prominent groups of actors allowed a better understanding of the reasons behind policy change, stability and variation. But while the influence over policy makers of powerful actors and the socioeconomic environment is unquestionable, the strength and orientation of such influences is not so clear. Policy processes and the socioeconomic environment seem to conform a two-way relationship, with policy decisions determining socioeconomic developments as well. Another difficulty arises while explaining different reactions of policy makers to similar socioeconomic circumstances. The struggles to explain such phenomena allow to argue that these approaches do not offer a theory of policy change, but rather prove that policymakers react to the wider environment, though in different ways.

The last group of approaches directly imported from mainstream political science are those concerning *rational choice theory*. Influenced by socioeconomic theories, these approaches match the individual behavior of actors located within the political system to those of market agents, characterized by their tendency to reduce costs and risks while maximizing payoffs and benefits. Game theory and evolutionary game theory are two highly influential applications of rational choice theory to explain collective action. Among the most representative analyzed games are the prisoner's dilemma and the tragedy of the commons. The first, originally developed by Merrill Flood and Melvin Dresher in 1950, shows why two completely rational individuals might not cooperate, even if it appears that cooperation is in their best interest (Axelrod, 1984). Likewise, the tragedy of the commons (Hardin, 1968, 1998) suggests that rational individuals acting independently within a shared-resource system will behave contrary to the common good and deplete that resource system through collective action. Both games are good at explaining

policy stability. Policy change, on the other hand, derives from the way groups and individuals alter their strategies or form new alliances to better benefit in the games.

Hence, rational choice theory explains policy outcomes on the basis of an individual rationality that is replicated by political groups and institutions. This dynamic connection between micro and macro levels provides what is called a micro-foundation or causal mechanism that is usually absent in one-dimensional proposals. For that reason, John (1998) considers it the most capable ‘traditional’ approach and Sabatier (2007) even includes ‘institutional rational choice’ among the most promising theoretical frameworks of the policy process. It is not a perfect solution, though. Rational choice theories usually encounter problems when tracing the origins of interests and preferences, especially when they deviate from observable rationality. As in the socioeconomic approaches, they also have a hard time explaining why different actors disagree on the most favorable course of action. Ultimately, not every individual or collective action is invariably guided by rational motives.

One of the most influential variants of rational choice theory is Simon’s (1957) concept of ‘*bounded rationality*’, which emphasizes the fundamental role that chance, uncertainty (the precise value of the estimate is not set) and ambiguity (subject to more than one interpretation) play in individual and organizational choices (Jones and Baumgartner, 2012: 7). According to this widely accepted theory, policy decision-makers experience biological and cognitive limitations that make it impossible for them to consider all possible options or make truly informed decisions. As a result, they suffer from ill-defined preferences and considerable uncertainty regarding the appropriate solutions and potential outcomes of new policy interventions. To compensate, policy-makers engage in incremental decision-making (Lindblom, 1959) and path-dependency (Pierson, 2000), limiting alternatives and making only small adjustments to existing policies. Additionally, the PET extended the theory of bounded rationality so it can also explain sudden shifts in policy regimes (Jones, 1994). As noted, bounded rationality is still at the heart of most policy approaches, including the three synthetic theories of the policy process that will be reviewed further on.

Overall, policy change was a common difficulty for approaches and theories imported from mainstream political science. Eventually, the dynamism of public policies led policy researchers to look for theories that they could specifically modify for policy studies. John (1998, 2003) groups these approaches into two final sets.

Hence, the fourth set of traditional approaches are *group and network theories*, adapted from organizational sociology and sub-government literature. These approaches suggest that during the second half of the twentieth century, the ties between interest groups and executive agencies evolved to broad and complex networks, involving more diverse and numerous actors. As a

consequence, public policies would not just derive from policy makers within the state, but as a result from informal associational patterns between different types of actors. The values, routines and power relations that prevail in such networks are responsible for policy outcomes, as well as for variance among policy areas. Long and stable relations in a specific policy field would make policy change less likely in that sector, whereas new associations and power shifts would predict changes and mutations. Pioneering the use of group theories for explaining the policy process were Bentley (1908) and Truman (1951). Their influence is notorious in researchers like Beer (1965), who studied political parties and interest groups, and how they affected public policy in Great Britain. The concept of networks was introduced by Heclo (1978) to policy studies, giving rise to the use of network analysis by researchers like Lauman and Knoke (1987), who use it to find out how policies were made in the US energy and health policy areas. Their research shows what types of actors had power over what kinds of decisions, as well as the constraints that these powerful networks imposed on their members.

Unfortunately, group and network theories suffer the same problem as institutional approaches. In a way, groups and networks are arguably similar to institutions, only informal and more dynamic. However, they must be stable enough for policies to work in any given policy area, which is why they are good at explaining stability, but still show difficulties when explaining policy change. They are also extremely sensitive to social and institutional change, which denotes the empirical weakness of informal constraints and their conceptual weakness as causes of policy dynamics.

Finally, the most important approaches of the 1990s were those that focused on *ideas*. Illustrating how important debates had become for social science, these approaches concentrate on the importance and consequences of knowledge for policy decision-making (Bennett and Howlett, 1992). Knowledge is broadly understood as the allegations of policy actors on the origins and solutions to public problems (John, 1998). The collection of evidence, the generation of ideas and the construction of opinions through debate would make knowledge independent from political interests and give it a decisive role in the policy process (Heclo, 1974; Sabatier and Jenkins-Smith, 1993, 1999). The great merit of these approaches is the incorporation of science to the causes for policy stagnation and change. They assign it a leading role in guiding preferences and ruling decisions. Lertzman et al. (1996), for instance, hold that changes in Canadian forestry policies in the 1970s were a direct consequence of collective learning in terms of biodiversity and environmental protection, on the part of key actor of the policy area.

The consideration of ideas and knowledge has proven essential to understanding the policy process and pivotal for the design and development of synthetic theories. However, as in the case of the other sets of traditional approaches, a sole focus on knowledge is not enough to explain policy dynamics. Science surely motivates change, but it is certainly not decisive nor even the

most influential factor. Likewise, the concept of ‘idea’ is problematic. Depending on the author, ideas stand for policy proposals, new techniques, discourses or language. And their independence in regard to political interests is hard to defend, since ideas are always used to articulate interests.

In sum, the influence of traditional approaches upon the policy process is undeniable. Institutions, socioeconomic causes, behavioral rationality, groups, networks and ideas are all highly influential on the change and stability of public policies. And they are not the only variables worth analyzing, either. Among other promising one-dimensional approaches are those focusing on management (Meier, 2009) or ideational leadership (Stiller, 2010), for example. However, the main problem of these approaches is that they are based upon the primacy of a unique principle or process, whereas in real life policy stability and change are not dependent on one single variable. As already stated, policy processes are intrinsically multidimensional and multi-driven, and thus policy formation depends on the complex interdependencies and interactions of many variables. For this reason, one-dimensional approaches are always going to come up short, because they can only offer a partial explanation of what is going on (Baumgartner et al., 2009: 350–354; Capano, 2009: 18–19; John, 1998: 167–169).

The other problem with the approaches reviewed so far is that they are not really theories *per se*, with the exception of those based on strategic actors (rational choice theory). One of the criteria of a scientific theory is that it identifies clear causal drivers. Institutions, socioeconomic developments, groups, networks and ideas are all sets of causal processes, unquestionably contingent of each other. However, the causal driver is missing. Are institutional developments changing the rationalities of policy actors or is it the other way around? Most one-dimensional approaches do not argue logically nor empirically that one variable has to precede the other (John, 2003: 487; Sabatier, 2007b: 3–6).

Synthetic approaches were partly developed to overcome these difficulties. As the next section will show, they offer a conceptualization of the relationship between the reviewed core causal processes, putting emphasis on the sequenced interaction between factors.

4.3.2 Synthetic or multidimensional approaches

In the 1990s, new accounts of the policy process emerged, which approached it as a complex phenomenon in which institutions, socioeconomic factors, ideas and strategic actors interact, often through formal and informal networks. Multidimensional approaches are labeled ‘synthetic’ (John, 1998, 2003, 2013) or ‘integrative’ (Cairney, 2015), because they are based upon a synthesis of the research behind one-dimensional approaches and because they combine their explanatory variables to design con-causal explanatory mechanisms (Capano, 2009). This section will review the three most prominent synthetic approaches (Real-Dato, 2009): John Kingdon’s (1984, 1995)

Multiple Streams Framework (MSF), Baumgartner and Jones' (1993, 2009) Punctuated Equilibrium Theory (PET), and Sabatier and Jenkins-Smith's (1993) Advocacy Coalition Framework (ACF), all key works in US policy studies that have also been tested profusely outside its borders. Since it will be applied to the object of study, the MSF will be analyzed in more depth than the PET and the ACF.

4.3.2.1 The Multiple Streams Framework

The first synthetic approach reviewed is the 'Multiple Streams Framework' (MSF), largely based on the ideas espoused in John Kingdon's seminal book *Agendas, Alternatives, and Public Policy* (1984), themselves an adaptation of Cohen, March, and Olsen's (1972) 'Garbage Can Model' (GCM) of organizational choice⁴². As the other synthetic approaches reviewed in this chapter, the MSF is one of the most-cited works in the public policy field and has probably offered more case-specific understandings than any other policy theory. Essentially a book on agenda-setting in the US federal political system (Kingdon, 1984), its application has expanded considerably in the 30 years from its development. From public health management in Catalonia (Gallego et al., 2016) to pension reform in Mexico (Marier and Mayer, 2007), researchers have applied the MSF to explain policy decision-making and implementation, as well as to all levels of governance, policy sectors and geographical regions. The literature review by Jones *et al.* (2016) identifies more than 300 English-language peer-reviewed journal articles applying the MSF since the year 2000, thus seemingly being used more frequently than the PET and the ACF (Zohlnhöfer and Rüb, 2016b: 2).

There are two main reasons for the framework's success, at least in terms of applications and citations. The first is its remarkable adaptability due to the identification of 'universal' issues of policy making. Kingdon's (1984) original work focused on a single political system (the USA), time period (the post-war period up to 1980s) and two policy areas (health and transport). However, it is based on the GCM, whose insights are so abstract that they apply well beyond its original focus of study (organizations, in general, and the university, in particular). Therefore, the structural features of the MSF are 'universal', in the sense that they are flexible enough to be applied to nearly any place, time, or policy (Cairney and Jones, 2016: 39–40; Zohlnhöfer and Rüb, 2016b: 2–3). The second is its 'low barrier of entry'. The MSF has an intuitive appeal, there is no codebook and no hypotheses. Researchers can read a summary of its structural features and generate an empirical case study that is publishable and theoretically based. As will be discussed

⁴² It is a frequent misconception that Kingdon was the first to adapt the logic of the GCM to the public policy context (1984). In fact, the co-authors of the GCM demonstrated its wider applicability soon after developing their original model. Kingdon's book does not mention these previous tryouts, which applied a much more similar version of the GCM –in comparison with the MSF- to the wider policy process (cf.: March and Olsen, 1976; Olsen, 1972).

later, this intuitive appeal also leads to the frequent ‘superficial’ use of the MSF and to a disregard for theoretical refinements (Cairney and Jones, 2016; Jones et al., 2016).

As was stated at the beginning of this chapter, not all conceptual tools should be conceived as theories (cf.: Ostrom, 2007; Schlager, 2007) and Kingdon’s work is a good example thereof. We agree with Sætren (2016: 29) in the notion that it is not appropriate to refer to it as a theory, since it does not explain how elements interact with each other to produce policy results. At best it functions as an analytical ‘approach’ (e.g.: Sabatier, 2007b) or ‘framework’ (Zohlnhöfer and Rüb, 2016a), as a roadmap that guides researchers on what type of variables or explanatory factors to look for and observe, what is important and what should be ignored.

4.3.2.1.1 Broader assumptions

Kingdon’s baseline is the complexity, messiness and unpredictability of the policy process. Accordingly, policy making is not an exercise of rational problem-solving. No one controls the processes taking place and most policy participants do not even know what policy goals they pursue nor where policy solutions come from. Ideas come and go, as they emerge because their ‘time has come’ (Kingdon, 1995: 1) and quickly disappear again. Ambiguity is at the heart of this conceptualization of policy processes and organizations known as ‘organized anarchy’, that is as far away as possible from the sequential model of policy making (John, 2013: 13), which Kingdon himself rejects in his work (1995: 78). The concept of organized anarchy is used in the GCM to explain organizational choice and Kingdon applies it to the wider policy process. Nonetheless, this does not mean that organizational decision processes are absolutely chaotic (Sætren, 2016: 23). Rather, Cohen, March, and Olsen (1972) rejected the paradigm of their time, which was an overly rationalistic conception of organizations and processes that stemmed from classical economics. Hence, ‘organized anarchy’ incorporated and underscored ideas of bounded rationality and satisficing behavior (Simon, 1957), which are not the opposite of rational choice, but variants that emphasize the fundamental role that chance and ambiguity play in individual and organizational choices. Thereby, organized anarchy refers to how goals and the goals-means relationships are frequently unclear or not understood.

Furthermore, organized anarchy involves three general properties that make it rather “a collection of ideas than [...] a coherent structure” (Cohen et al., 1972: 1). First, participation is fluid. Turnover is high and includes the participation of all kinds of actors within and outside government. But audiences and decision-makers change capriciously, as they thrive from one issue to the next and devote uneven time and effort to any one of them. Second, preferences are problematic. Individuals are guided by Simon’s (1957) concept of ‘bounded rationality’, experiencing biological and cognitive limitations that do not allow the consideration of all

possible options. In addition, time constraints prevent participants from taking their time to make informed decisions. In consequence, most participants have inconsistent and ill-defined preferences that they do not state clearly. Finally, technologies - the processes that turn inputs into products- are unclear in organized anarchies. Individual participants and organizations may be aware of their own responsibilities, but show only rudimentary knowledge on how their role fits in the overall mission of the system. Boundaries are not clear and disputes are common. Most participants guide their actions by trial-and-error, past experiences and pragmatic innovations by necessity (Cohen et al., 1972).

As a result of these constraints and of the omnipresent ambiguity, the policy process cannot be a rational response to policy problems. Instead, the MSF argues that there is no systematic relation between problems and solutions. Accordingly, policy making can be understood as a dynamic process in which unrelated solutions are waiting for responsive problems to enter the agenda. Problems and policies (solutions) are thus theoretically independent of each other and revolving in the political fluctuations of agenda-setting and policy decision-making.

4.3.2.1.2 Core elements and processes

The extended MSF contains five core elements: The problem, policy and politics ‘streams’, policy windows and policy entrepreneurs (*see Figure 5, at the end of this section*).

According to Kingdon, there are three processes occurring simultaneously in agenda-setting: problems, policies, and politics. He refers to these processes as ‘streams’ that flow through the political system largely independently of each other. Streams can be seen as a collection of variables that develop and change over time (Howlett et al., 2016: 80).

The first stream or process is the *problem stream*. It largely consists of conditions, issues or public matters that citizens, entrepreneurs and policy makers want the government to address, such as firearm violence or insecurity. Among the variables and parameters that compose the stream, Kingdon identifies indicators, focusing events and policy evaluations, as elements that attract the policy makers’ attention to certain conditions. Indicators, such as the number of firearm injuries per month, are used to determine the existence and magnitude of a condition, as well as its scope of change. Focusing events, such as especially violent crimes or the death of law enforcements, direct and fix the attention of the media and entrepreneurs to a certain issue. Lastly, evaluations of previously implemented policies and programs give hints at elements that are not working in the status quo.

Likewise, the attention given by policy makers to conditions is scarce. It largely depends on what Zahariadis (2003: 154) refers to as the ‘problem load’, that is, the number –and relevance (Baumgartner et al., 2011: 953)- of difficult problems occupying their attention at any given

moment. As a result of these dynamics, some conditions become problems and capture the policy maker's attention, while others never do.

Lastly, for conditions to rise to prominence, first they must be defined as problems. Not all of them do either. Policy makers pay attention to some potential problems and ignore others. This is because problems are "not entirely self-evident" (Kingdon, 1995: 90), they contain a "perceptual, interpretive element" (ib.: 1995: 110). A problem is more easily recognized if a condition violates important values, if it looks bad by comparison with other countries or units of comparison, or if it is classified into one category rather than another. A good example is the lack of public transportation for disabled people. It is conceived as a problem that the state should urgently address, as soon as it is categorized as a civil rights issue and not just as a transportation issue (ib.: 198).

To this effect, Knaggård (2015, 2016) introduces so-called 'problem-brokers' or 'knowledge-brokers' to the MSF, who interpret and frame any sort of knowledge –indicators, focusing events, research- and make it understandable to the political world. Their role is different from that of traditional policy entrepreneurs, which will be seen below, because knowledge-brokers frame problems but try to refrain from stating particular policy solutions. It is not that their framing does not entail a possible course of action (Schattschneider, 1960; Stone, 2011), but that some actors only try to portray a condition as a political problem, as something in need of political attention.

The second stream is the *political stream*, made up by actors and processes that act and develop at the level of macro-politics. Three elements are especially relevant: swings in the 'national mood', interest group pressure campaigns and administrative or legislative turnovers. Kingdon denominates 'national mood' to a rather abstract parameter that indicates a 'climate' or broad public opinion on values, governmental action or broad policy issues. This mood or climate changes over time in recognizable ways and can have a significant impact on policy agendas and outcomes, as it creates a 'fertile ground' for certain policy ideas but not for others. These public opinion changes are somewhat predictable, like swings of a pendulum. There are periods of reform and periods of quiescence, as well as liberal and conservative national moods (Kingdon, 1995: 146–149).

Likewise, government officials react to the support or opposition to issues by political pressure groups, taking them as indicators of consensus or dissent in the larger political arena. At last, administrative or legislative turnovers, such as the influx of new members of Congress or the advent of a new interior minister, usually have an impact on the rise to prominence of certain issues over others. Kingdon (1995: 20) assumes that "[p]otential agenda items that are congruent with the current national mood, that enjoy interest group support or lack organized opposition, and that fit the orientations of the prevailing legislative coalitions or current administration are

more likely to rise to agenda prominence than items that do not meet such conditions.” Among the three elements, national mood swings and administrative or legislative turnovers exert the greatest influence on political agendas.

The political stream is the realm of what Kingdon defines as the visible cluster of actors. Elected officials, political appointees, the media, political parties and prominent campaigners, are all among the participants that receive considerable press and public attention. In what is a fairly straight-forward top-down model, these actors –and especially elected officials- exert the greatest influence on the agenda (ib.: 1995: 199). If an issue rises on the governmental agenda –the list of subjects to which governmental officials are paying serious attention to- it is mostly due to their efforts. They take an interest in a given subject and set along to building enough consensus to promote it.

The third and final process influencing agenda-setting is the *policy stream*, where experts and specialists interact and generate ideas in so-called ‘policy communities’. These communities are networks or loose connections of civil servants, interest groups, academics and researchers, who engage in working out policy proposals for a specific policy field (cf.: Herweg, 2016). Kingdon’s study involved policy communities working in health and transportation. Our analysis will focus on policy communities related to security and firearm control policies. Within such networks, experts and specialists disseminate their ideas and persuade other participants of the benefits of their proposals. Their work is not nearly as exposed to the public as those of the prominent actors of the political stream, which is why Kingdon refers to them as hidden participants. Broadly speaking, visible participants largely influence agenda-setting, while hidden participants develop most of the policy alternatives, proposals and solutions.

Furthermore, policy alternatives compete in what Kingdon figuratively calls ‘the policy primeval soup’, a process that narrows policy choices to the ones that receive serious consideration. Indeed, most proposals are ignored and eventually disappear, but some are picked up and put forward by *policy entrepreneurs* (see below) to be ‘softened up’, that is, discussed, modified or combined. The few that receive serious consideration meet the policy community’s criteria of survival, which includes technical feasibility and value acceptability. Their transition to the larger political arena is also anticipated, which is why the cost of a proposal and its receptivity by the public and elected decision makers is also considered. The ones that pass these filters can become viable policy alternatives waiting to be coupled to a particular problem. Policy communities or networks also differ in their level of fragmentation across political systems, with serious implications for its functioning and level of consensus. In addition, Zahariadis (2007: 72–73) suggests that fragmentation influences the success or failure of policy proposals. If participants are more integrated and show a higher level of consensus, policy proposals can develop and rise to prominence more easily.

As already stated, these three processes or streams flow through the political system largely independently of each other. This does not mean that there are not connections among them whatsoever. Unlike problem-solving models, that suggest that people become aware of problems and devise alternative solutions, Kingdon's MSF suggests that solutions are always searching for responsive problems to which to become attached, as well as for receptive politicians that want to adopt them as policies. Hence, there are times when the streams evolve in synchronicity, "couple" to one another and allow agenda and policy change to happen. To that end, Kingdon introduces the concept of 'policy window', as well as a looser definition of 'policy entrepreneur' (Cairney and Jones, 2016: 41). Both elements would become common references in the policy studies literature and have been included in other theories of the policy process, including the PET and the ACF.

The so-called '*policy windows*' or '*windows of opportunity*' are another key concept of Kingdon's theoretical framework. These are namely critical moments in time in which the streams can be coupled or brought together. Kingdon describes them as "an opportunity for advocates of proposals to push their pet solutions, or to push attention to their special problems" (Kingdon, 1995: 165). Windows of opportunity are usually of short duration, predictable or unpredictable, and can occur as a consequence of events in the problem or political streams. 'Problem windows' are opened by pressing problems or by problems that are regarded as pressing, whereas 'political windows' are opened by favorable political events. For instance, an unpredictable rise in homicide rates may draw public attention to firearm availability and the accession to power by a new administration could bring changes to how urban violence is confronted. Policy windows are necessary but insufficient conditions for agenda change, however. There must be a viable alternative from the policy stream that can be coupled to the problem in question as its solution, and policy makers must be receptive to it.

Hence, when an appropriate window opens, advocates of policy alternatives from the policy stream sense their opportunity and try to seize the moment. These advocates are called *policy entrepreneurs* and are the last core element of the framework. Kingdon (1995: 179) describes policy entrepreneurs as "advocates who are willing to invest their resources -time, energy, reputation, money- to promote a position in return for anticipated future gain in the form of material, purposive, or solidary benefits". Entrepreneurs are anywhere in the political system. In one case, the key entrepreneur may be a member of the Senate, trying to build a majority around his proposal, while in other it could be a famous CEO, strongly promoting his ideas in the media. Kingdon found that one can almost always identify a particular person –or at most a few persons– who were key in including a particular issue in the agenda (ib.: 1995: 180).

Policy entrepreneurs must recognize when the processes or streams (problems, policies, politics) are 'ripe'. That is, when a problem is ready to be addressed, a corresponding solution is available,

and the political climate makes the right time for change. If an entrepreneur thinks this is the case, he may try to join the streams together and push his proposal of choice in the agenda. That means attaching or coupling their policy proposal to a problem and then finding receptive politicians. The last part is mainly a question of manipulation (Zahariadis, 2003, 2005), where the access to policy makers makes a great difference. The importance of policy entrepreneurs in the MSF stems from the ambiguity of the policy process. Policy makers are unsure about which problems deserve their attention and do not have the time, knowledge or motivation to find the right solutions. Policy entrepreneurs take advantage of this ambiguity and couple their pet proposals to a specific problem. They are not always successful, however. The competition between policy alternatives is fierce and constant, and the political system is not capable of processing them all. Potential policy solutions are frequently not capable of accessing the decision agenda –the list of subjects that are moving into position for an authoritative decision- because they get crowded aside in bottlenecks. Resource commitment is essential on the face of competition. The more a participant is willing to commit, the better his chances of delivering his alternatives.

Chances for a favorable outcome –understood as the successful entry of an issue in the political agenda- also increase dramatically when all three streams are coupled together. “An alternative floating in the policy stream, for instance, becomes coupled either to a prominent problem or to events in the political stream in order to be considered seriously in a context broader than the community of specialists. If an alternative is coupled to a problem as a solution, then that combination also finds support in the political stream. Similarly, if an alternative is seized upon by politicians, it is justified as a solution to a real problem” (Kingdon, 1995: 178). None of the streams can place an item on the decision agenda by itself. And partial couplings are possible, but they are not enough to move an issue from the governmental agenda into the decision agenda. For instance, a decision-maker might have a problem among its priorities, but eventually attention will turn to other matters if a feasible solution is not available. Likewise, an entrepreneur might find political support for his proposal, but if they cannot find a problem that is sufficiently compelling, then the window of opportunity will close without the critical joining of the three streams. Luck and contingencies can sometimes facilitate a change in the decision agenda (Kingdon, 1995: 183), but a full coupling is generally indispensable.

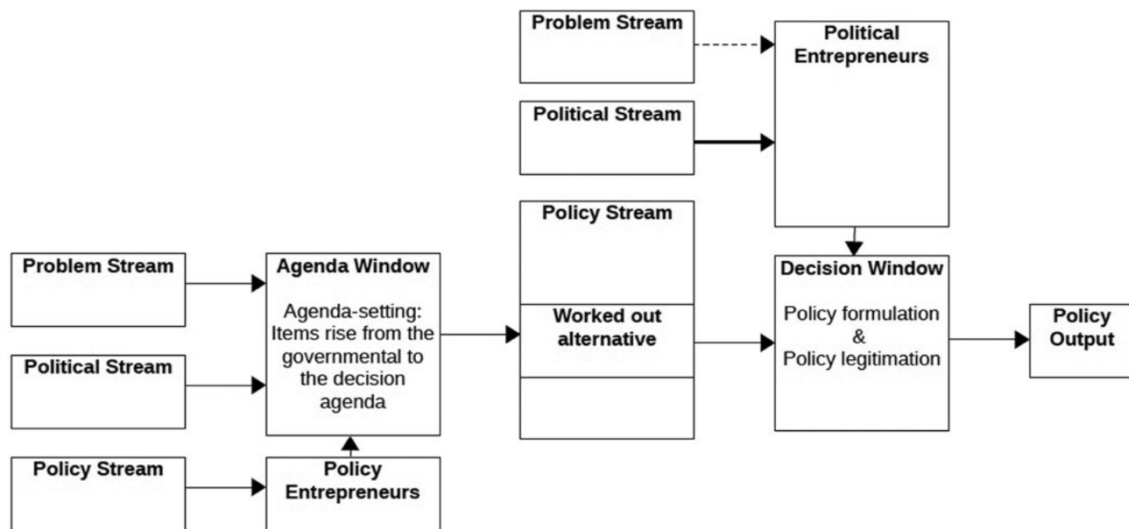
As a result of these dynamics, agenda-setting in the MSF is mostly defined by incrementalism (Lindblom, 1959). However, the right use of prominent policy windows by policy entrepreneurs can cause discontinuity or sudden agenda change. Kingdon refers to such events as the establishment of a new principle (1995: 191–192). Accordingly, occasionally a legislation is passed that sets a new precedent. Old coalitions are defeated and a new one is established. People get accustomed to a new way of doing things, build it into their standard operating procedures and a new inertia settles in. The new direction is then as difficult to change as the old was.

At this point, we would like to adopt an important modification to the theoretical framework. Since the publication of the 1st edition of Kingdon's *Agendas, Alternatives, and Public Policy* (1984), various authors have suggested possible revisions to improve the framework's efficacy and applicability. We already mentioned two additional variables that we will include in our analyses: 'problem load' and 'knowledge-brokers', by Zahariadis (2003) and Knaggård (2015, 2016), respectively. These are promising extensions that we believe can make an important difference in the explanatory capacity of the framework. Nonetheless, we are also interested in enhancing its applicability to include the decision-making process.

Thus, although the 2nd edition of Kingdon's book (1995) frequently reached into the realms of the policy decision-making process, the original MSF is limited to understanding and explaining agenda-setting (Kingdon, 1995: 2). The capacity to cover decision-making is explicitly extended by Zahariadis (1995, 2003), who suggests merging agenda-setting and decision-making into a single process. This approach has been applied extensively and implies that if a policy entrepreneur is successful at achieving an agenda change, it is more likely that he manages a policy change as well. It has two important disadvantages, however. First, that if a policy change fails, there is no way of knowing if it did not enter the decisional agenda or if it was vetoed during decision-making. Second, that it pays no attention to the policy output's trajectory. That is, it does not consider if the policy proposal was modified during decision-making and if it differs from the original proposal.

For these reasons, we apply and evaluate a very recent theoretical extension by Herweg, Huß and Zohlnhöfer, which should allow both to analyze the different logics of agenda-setting and decision making, while highlighting the role that institutions play in the latter (Herweg et al., 2015; Zohlnhöfer et al., 2016). The idea is to differentiate two distinct coupling processes, agenda-coupling and decision-coupling (*see Figure 4*). *Agenda-coupling* refers to the MSF's original coupling process. If successful, its output is a worked-out policy proposal that moves from the governmental agenda into the decision agenda and requires an authoritative decision by policy makers, like a bill that is introduced in parliament. If the negotiations with veto actors is successful, a *decision-coupling* occurs, which ends with the adoption of the bill.

Figure 4: Diagram of the extended MSF, as conceived by Herweg et al. (2015)

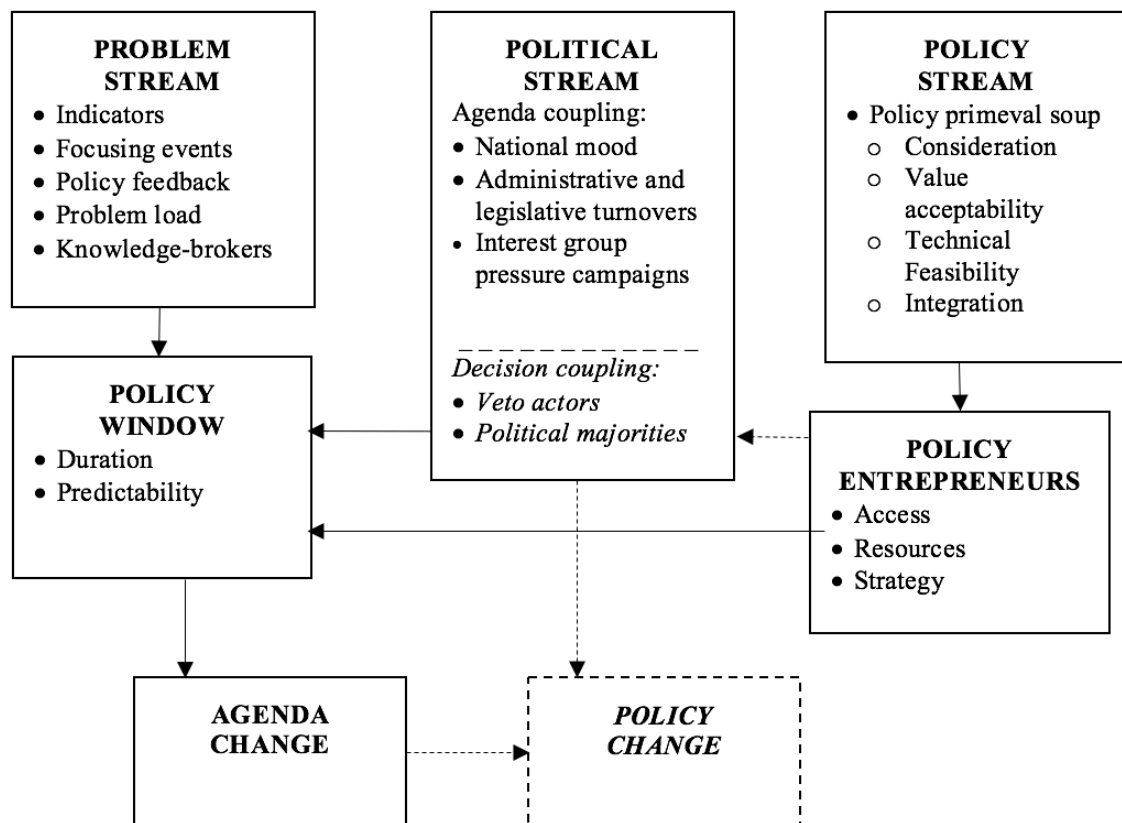


Source: Herweg et al. (2015: 445).

Since formal institutions define actors with veto power and which majorities suffice to adopt a policy, the political stream gains a new meaning at this stage that should be acknowledged. The problem and policy streams remain loosely coupled after agenda coupling succeeds, because a particular problem is already attached to a particular policy. But if veto actors and majorities in the political stream are going to approve the proposal, then policy entrepreneurs must continue their efforts to convince policy makers. In a way, Kingdon paves the way for such an extension, inasmuch as he distinguishes a bandwagon or tipping phenomenon in the political arena that is different from the one inside the policy community. While specialists in the latter use persuasion and diffusion to convince their peers on the benefits of their ideas, politicians incur in a process of coalition-building, in which bargains are struck and concessions are given in return for participation (Kingdon, 1995: 141).

Since not all entrepreneurs have access to decision makers, the authors suggest the possible collaboration of different entrepreneurs at each stage, which includes the conceivable existence of collective entrepreneurs. Because of cases such as these, it would seem better to understand policy entrepreneurship as a process (Zohlnhöfer et al., 2016: 250). In any case, political entrepreneurs maneuvering to achieve decision coupling can resort to concessions, package deals and regular manipulation, to get their pet projects favorably decided upon.

Figure 5: Own diagram of the extended MSF



Source: Own elaboration, based on Kingdon (1995), Zahariadis (2007: 71), Knaggård (2015, 2016), Herweg et al. (2015) and Zohlnhöfer et al. (2016).

4.3.2.1.3 Deficits and limitations

As any scientific theory that becomes fairly popular, the MSF has attracted its fair amount of criticism (John, 1998, e.g.: 2013; Mucciaroni, 2013; Sabatier, 2007a; Zahariadis, 2007). This section presents some of the most important limitations of the framework and, if possible, argues how these limitations can be overcome. The US federal system ethnocentric charge (John, 2013: 14) will not be discussed, since recent meta-reviews have made clear that researchers successfully apply the MSF to various levels of governance and geographical regions (cf.: Cairney and Jones, 2016; Jones et al., 2016).

A first major criticism to the MSF is that its falsification is very difficult or even impossible (Mucciaroni, 2013: 321; Sabatier, 2007a: 327), on account of two correlated aspects: the lack of testable hypotheses and its highly ambiguous language. Regarding the first issue, the non-inclusion of hypotheses is certainly an important deficit of the original model, which complicates its falsification as well as its theoretical development. The good news is that the model does have a clearly stated fundamental premise that can be formulated as a hypothesis. Namely, that “an agenda-change becomes more likely if the streams are ripe, a policy window opens and a policy

entrepreneur is present to couple the streams” (Zohlnhöfer and Rüb, 2016b: 6). Not everyone would find such a broad hypothesis sufficient. Mucciarioni (2013: 321), for instance, considers that problems, solutions and political contexts should be arranged in particular categories, to allow the development of specific hypotheses for how particular kinds of problems and solutions reach the agenda, given the existence of particular political conditions.

In any case, it is in the operationalization of such hypotheses where we encounter the second issue, which is Kingdon’s figurative language. Policy studies often rely on metaphors to simplify complexity and illuminate policy dynamics (Howlett et al., 2016: 73). If the ‘stages heuristic’ approach (Lasswell, 1956) is the classic metaphor for policy-making, then Kingdon’s MSF might well be considered a good metaphor of the agenda-setting process. The problem with the use of metaphors is that they provide adaptability and understanding at the expense of clarity and analytical precision. For instance, working with the above mentioned general hypothesis requires the operationalization and definition of such ambiguous concepts as ‘streams’, ‘ripe’, ‘open policy window’, ‘policy entrepreneur’ or ‘coupling’. Admittedly, all core elements and sub-components of the MSF are highly metaphorical and require further explanations to be operationalized for empirical or comparative research. The ‘problem load’ and the ‘national mood’ are among the most troubling. But this is not an impossible task, as various researchers have shown. For instance, Herweg (2016) defines the vaguely formulated concept of ‘policy communities’, while Herweg, Huß, and Zohlnhöfer (2015) first provide operational definitions of the core processes and then develop a set of general falsifiable hypotheses. While such definitions and hypotheses are never perfect, they show that the MSF can be used more rigorously if required.

Another common criticism is that the MSF can only hardly be used with a quantitative research approach (Zahariadis, 2007: 82–83). Indeed, Jones et al.’s (2016) meta-review shows that the MSF is only rarely applied quantitatively (less than 12 per cent of the studies under review), although these applications include a considerable variety of methods, such as ordinary least squares analysis, logistic regression analysis and simulation modeling. It is questionable if this is a valid criticism, since qualitative research approaches are not inferior to quantitative ones (*see chapter 2.2*) and are usually preferred in policy studies. Still, qualitative studies can be “impressive, but difficult to generalize” (Cairney and Heikkila, 2014: 372), and the clear preference among scholars for qualitative methodologies suggests that the MSF may be difficult to operationalize in terms of measurable variables (Jones et al., 2016: 23).

Furthermore, critics point to the disregard of two major elements of the policy literature: historical causality and institutional dynamics (Mucciarioni, 2013). These elements are also missing in the GCM. Regarding the first, when explaining agenda or policy change, both approaches seem to work better at analyzing the situational level than the structural level (ib.: 2013: 321). This basically means that because they do not consider historical causation, they are good at explaining

when change happens, but not so much *why* change happens at that particular moment. Kingdon justifies overlooking historical antecedents on the ground that a concentration on the origins of initiatives does not make for very complete theory about agenda-setting or alternative specification. He reaches that conclusion based on three reasons: “(1) ideas can come from anywhere; (2) tracing origins involves one in an infinite regress; and (3) nobody leads anybody else” (Kingdon, 1995: 71).

Although true to a certain point, we think this justification is rather unsatisfactory. Much of what happens in the policy-making process is heavily influenced by events in the past and, based on these criteria, historical studies would be futile. By not analyzing historical causes, issues can appear and disappear of the agendas without a thorough explanation. Pierson (2000), who later introduced path-dependency to political science, could indirectly respond to Kingdon’s arguments as follows:

“Social scientists often have good reason to focus on synchronic causality – to try to understand how variations in current variables affect present social outcomes. When increasing returns processes are significant, however, such a strategy may be problematic. [...] [Because] the necessary conditions for current outcomes occurred in the past. The crucial object of study becomes the critical juncture or triggering events, which set development along a particular path, and the mechanisms of reproduction of the current path – which at first glance might seem commonplace or at least analytically uninteresting” (Pierson, 2000: 263).

Because an analysis at the situational level frequently seems inadequate, researchers usually try to put their analysis into context when they believe it is necessary, at least superficially. Perhaps a more theoretically interesting way to overcome such shortfalls is to combine the MSF with other theoretical lenses. Spohr (2016) does just that, combining the framework with historical institutionalism and thus introducing the path-dependency logic into the MSF. His research shows that historical institutionalism not only provides explanations for path-dependence, but also for mechanisms that allow path-departing changes, such as comparative pressure and policy learning.

The other element of the policy literature that is largely missing derives from the MSF’s inability to incorporate institutional dynamics into the logic of policy formation (Zahariadis, 2016; Zohlnhöfer et al., 2016). The influence of the institutional context is more implicit than explicit in the MSF, since it is subsumed with other very heterogeneous elements inside the political stream (Sætren, 2016: 27). This omission is especially problematic when the MSF is used to analyze policy stages in which institutions matter most, such as policy decision-making and

implementation. There are several possible explanations for this deficit that makes the original MSF rather incomplete for the analysis of the later stages of the policy process: First, its author focused solely on the agenda-setting process, where institutions are not as important as in the following stages. Second, the important influence that the behavioral approach had in the late 1970s and early 1980s, which explicitly overlooked institutional dynamics. Finally, to the fact that the GCM did not theorize structural constraints either and left them largely outside its parameters (Mucciaroni, 2013: 322).

The only serious attempt to overcome this limitation and systematically incorporate the effects of institutions was made by Zohlnhöfer, Herweg and Huß (2016). They argue that formal institutions are largely relevant during the decision coupling phase, where the main question is if policy entrepreneurs are going to gain the support needed to get their pet project adopted. Hence, they devise a mechanism that acknowledges actors with veto power, thus making the framework more sensible to formal institutions that shape legislative majorities, and define the rules by which compromises are attempted and winning coalitions are built. This extension will be adopted and evaluated in the present work.

A final limitation is pointed out by Sabatier (2007a: 332), regarding how causal drivers are under-specified in the MSF. What he meant was that the framework has an incongruent micro-foundation, a critique based on the general context of ambiguity that is at the baseline of the MSF, where policy-makers have unclear preferences and the policy process is characterized by its unpredictability and lack of strategic direction. Other scholars disagree. Schlager (2007), for instance, considers the individual in the MSF as a clear 'satisficer', "firmly grounded in Simon's boundedly rational individual" (ib.: 2007: 302). Indeed, in his book, Kingdon (1995: 77–79) points at Simon's (1957) concept of 'bounded rationality' as an accurate description of reality and recognizes the importance of the incremental model (Lindblom, 1959), which is based on its ideas. Nonetheless, there are individuals participating in the MSF's agenda-setting process that seem to be overrun by ambiguity or to have a completely random behavior.

Against this controversy, Kuhlmann (2016) makes an in-depth analysis of the logics at work in the MSF and concludes that there is in fact an inconsistency in its micro-foundation. She argues that while the concept of bounded rationality has its theoretical point of departure at the micro-level, the MSF mainly theorizes at the systemic/macro-level. And although it 'borrows' from bounded rationality to conceptualize individuals at the micro-level, ambiguity largely dominates at the systemic level and it is therefore the central ontological premise of the MSF. Hence, the coexistence of different logics at work -bounded rational individuals at the micro-level and ambiguity at the macro-level- would pose a theoretical challenge for the micro-foundation of the MSF. Kuhlmann believes that the best way to overcome this inconsistency is to synthesize the

MSF with another approach that is better placed within the concept of bounded rationality, such as PET (2016: 47), for instance.

4.3.2.1.4 Contribution to policy theory

Despite the limitations mentioned in the lines above, the Multiple Streams Framework (MSF) was nevertheless a major step forward in understanding agenda formation and change. Inasmuch as it works as a convincing explanation for policy formation as well, its contribution to general policy theory is quite remarkable. A great part of its assumptions have become the prototypical model for explaining agenda formation and change, while focusing events, policy windows and Kingdon's particular understanding of policy entrepreneurs became obligatory references for other large theories of the policy process (e.g.: Baumgartner and Jones, 1993, 2009).

Some of this influence results of its identification of 'universal' factors of the policy process, all flexible enough to be applied to nearly any place, time, or policy (Cairney and Jones, 2016: 39–40). Among others, contexts of widespread ambiguity, issues competing for attention, behavior guided by bounded rationality (Simon, 1957) or non-linear and non-rational processes. These factors were partially present in the Garbage Can Model (GCM) and Kingdon applied them to policy formation. Furthermore, the MSF is one of the few treatments of public policy that examines the political system as a whole, embracing the relative importance of the core aspects of the policy literature that we reviewed within one-dimensional approaches (John, 1998, 2013). These influences can be easily identified throughout the framework:

- Of the reviewed core aspects of the policy literature, institutional approaches are perhaps the least influential in the original MSF (Zahariadis, 2016; Zohlnhöfer et al., 2016). Explicit attention is focused only on administrative or legislative turnovers. Rather implicitly, institutions shape problems and agenda change, while allowing or suppressing the flow of ideas inside policy communities and throughout their encounter with policy makers (Sætren, 2016: 27). Modifications by Zohlnhöfer et al. (2016) emphasize the influence of formal institutions in the decision-making process, but these have not been fully assessed yet.
- The policy context is acknowledged in the form of national mood swings, external pressure group campaigns, focusing events and policy windows. Policy entrepreneurs wait for these external factors to open a window of opportunity "like surfers waiting for the big wave" (Kingdon, 1995: 165) and policy makers try to react to them by being more sensitive or reluctant to related ideas and policy proposals.

- The MSF partially builds on bounded rationality (Simon, 1957) to conceptualize two boundedly rational individuals: policy entrepreneurs, who invest their resources for future gains, and policy makers, who are sure about their career objectives but have unclear policy preferences. That is why the first are goal-oriented manipulators and the latter are subject to their manipulation (Kuhlmann, 2016; Zahariadis, 2003, 2005).
- Networks are present in the form of policy communities, where experts generate ideas among highly specialized participants and atomize the complexity of the policy process (cf.: Herweg, 2016).
- Finally, ideas are fundamental in Kingdon's policy making, as policy networks, institutions and bounded rationalism help explain how ideas originate and mutate along the way. Emphasized is the interaction between two kinds of ideas. On the one hand, policy solutions that need to draw attention and catch on. On the other, the established set of beliefs in a policy community that only allow some kinds of ideas to succeed.

Furthermore, the MSF was decisive in the development of other policy theories. Foremost is Kingdon's influence on evolutionary theory, even though the MSF predates its expansion and is not really an evolutionary theory *per se* (John, 2003: 488). However, together with the GCM and Lindblom's (1959) account of how policies 'evolve' through minor adjustments, it marks the beginning of the modern history of evolutionary theory in policy studies (Cairney, 2013: 281). This is no surprise, since established evolutionary theorists like Michael Cohen, Robert Axelrod and William Hamilton were very close to John Kingdon long before the development of the MSF (Baumgartner, 2016: 8–10). Thus, the influence of biological thinking, natural selection and randomness is clear and constant throughout his book: Kingdon describes policy-making as a "complex adaptive system" with "continual Darwinian selection" (1995: 224), while in the 'primeval soup', ideas and proposals develop and evolve "akin to biological natural selection" (1995: 226). Thus 'evolution', in Kingdon's sense, describes the "time and effort it takes for feasible policy solutions to develop [and] the slow progress of an idea towards acceptability within the policy community. It is complete when policymakers are receptive to the solution and have the motive and opportunity to adopt it" (Cairney and Jones, 2016: 41).

Randomness is also deeply rooted in evolutionary theory and is a vital driver of the MSF's policy process. Kingdon distinguishes between 'essential' and 'residual' randomness (Kingdon, 1995: 189; 222–223). Accordingly, the process is largely structured and constrained, but there is always a small margin for chance: Policy windows can open or close unexpectedly, elections can have surprise winners, and an unpredictable tragedy –such as an airplane crash- may sentence policy change in the form of a focusing event or a window of opportunity. Because residual randomness

precludes deterministic policy processes, Kingdon always talks in probabilistic terms. For example, he suggests that the joining of all three streams dramatically increases the probability of an issue rising on the decision agenda (ib.: 1995: 178), while the opening of a window of opportunity for one issue increases the probability that a window will open for a similar one (ib.: 1995: 190).

Nonetheless, evolutionary policy theory is still a developing field of study. At present, even the meaning of ‘evolution’ is highly contested and scholars use it to describe very different processes (Cairney, 2013; Lewis and Steinmo, 2010). However, most influential policy scholars regard evolutionary theory as potentially capable of providing a better understanding of human behavior and political preference formation (Alford and Hibbing, 2004; Baumgartner and Jones, 2009; Capano and Howlett, 2009a; John, 1998; Lewis and Steinmo, 2010). Kingdon’s role in its development goes further than the MSF. His understanding of evolutionary theory was very influential and can be found in other prominent evolutionary policy theories such as the PET, which built upon the MSF in its early stages (Zohlnhöfer and Rüb, 2016b: 7). In fact, Kingdon was once a mentor of Frank Baumgartner and even reviewed an earlier version of the book he wrote with Bryan Jones (1993), pushing them to adopt the biological and evolutionary ideas that would later become fundamental to their model (Baumgartner, 2016: 14). As will be discussed later, Baumgartner and Jones eventually maintained the possibility of developing solutions through slow incremental processes, but largely described a different type of evolution in which long periods of apparent policy stability are punctuated by rapid and profound policy changes (Baumgartner and Jones, 2009).

Finally, the MSF also shares common ground with chaos theory, on the basis of its assumptions on randomness, complex systems and organized anarchy (Kingdon, 1995: 223–225; cf.: Mucciaroni, 2013: 323–324). Although it is still not clear if chaos models realistically describe policy phenomena (Bardach, 2006: 354–355), they refer to dynamical systems that are extremely sensitive to initial conditions. This means that slight differences in initial conditions can yield widely diverging outcomes. Because the MSF is sensitive to complexity, messiness, randomness and unpredictability, it gives way to positive feedback processes that are frequently counter-intuitive (Baumgartner and Jones, 2009; Zahariadis, 2007: 66). And while chaos theory will probably not lead to a whole new paradigm in policy theory, it still shows a large potential for useful applications (cf.: Plaza i Font and Régis, 2006).

4.3.2.1.5 Revisions and further theoretical development

As mentioned in the section on theory selection, the year 2016 entailed an interesting moment for the MSF on account of the publication of a special issue of the Policy Studies Journal (Schlager,

2016) and a whole volume (Zohlnhöfer and Rüb, 2016a) that focus solely on its theoretical refinement and empirical applicability. The moment is not coincidental. As Weible and Schlager (2016: 8) point out in the introduction to the special journal issue, the MSF is at the empirical and theoretical crossroad of its development. It has endured over 30 years as an established policy theory and there is even a positive, upward trend in applications in recent years (Jones et al., 2016: 11). However, despite its popularity among scholars, recent review articles conclude that the theoretical knowledge of the policy process has not advanced much since its original development. The reviewing authors consider this to be mainly the consequence of an uncoordinated research program that is not appropriate for the further development of the framework (Cairney and Jones, 2016; Jones et al., 2016):

“Overall, [...] MSA applications give the sense of a generally self-contained literature, populated primarily by isolated case studies where authors either: do not speak to the wider literature, present models that are difficult to compare with others, or use MSA to focus on new objects of study. The number of theoretically informed studies, demonstrating a greater appreciation of the literature and the place of MSA within it, represents a small proportion of MSA-related activity”

(Cairney and Jones, 2016: 49–50).

The lack of coordination and systematic development is partly due to Kingdon’s refrainment from further elaborating on his theory. He has produced a new edition of his book (Kingdon, 1995), but it does not include truly relevant refinements of his theory. In the light of this inertia, other scholars took it upon themselves to advance its research program, both theoretically and empirically. Nikolas Zahariadis is the most prominent advocate of this group, having made an extensive use of the MSF in his own research (Zahariadis, 1992, 1995, 1996, 2003, 2005, 2007, 2008, 2014, 2015, 2016; Zahariadis and Allen, 1995). Despite the perhaps insufficient theoretical development of the MSF, it cannot be said that their efforts were in vain. In relation to our research object, we can point out the following notable theoretical contributions, many of which were developed very recently:

- Originally from a book on agenda-setting in the US federal political system, researchers have applied the MSF to the decision-making process (Herweg et al., 2015; Zahariadis, 2003) and to all levels of governance, policy sectors and geographical regions (cf.: Cairney and Jones, 2016; Jones et al., 2016).
- According to Knaggård (2015, 2016), not all actors define and frame problems to enable their coupling to a particular solution. So-called ‘problem-brokers’ or ‘knowledge-brokers’ interpret and translate knowledge, so that it is understandable to the political

world. Unlike traditional policy entrepreneurs, these actors only frame conditions as problems and call for action, but without making any particular policy suggestions.

- The concept of policy communities is enriched by noticing that they differ in their level of integration across political systems, affecting policy innovation. More integration and higher levels of consensus help policy proposals to develop and rise to prominence more easily (Zahariadis and Allen, 1995).
- Coupling strategies are analyzed and it is discovered that the attention policy makers pay to issues largely depends on the number of difficult problems occupying their attention, at any given moment. Zahariadis thus introduces the problem variable ‘problem load’ (Zahariadis, 2003: 154).
- The impact of emotions in policy processes is highlighted by studying MSF’s concept of the national mood. Negative national moods are connected to confrontational policies (Zahariadis, 2005) and political leaders act as policy entrepreneurs by manipulating emotions (Zahariadis, 2015).
- The application of the MSF to the decision-making process is emphasized (Zahariadis, 2003), even introducing a second coupling process to analyze decision making more rigorously (Herweg et al., 2015; Zohlnhöfer et al., 2016).
- The influence of institutions on the policy process is underscored (Zahariadis, 2016) by acknowledging how formal institutions shape legislative majorities and define the rules by which compromises are attempted and winning coalitions built during the decision-making phase (Zohlnhöfer et al., 2016).
- Included is a set of falsifiable hypotheses for agenda-setting and decision making, thus showing that hypotheses can be derived from the MSF and that it can be used more rigorously if required (Herweg et al., 2015).
- The MSF can be synthesized with other theoretical approaches to overcome its deficiencies. For instance, Spohr (2016) combines the framework with historical institutionalism, thus introducing path-dependency into the MSF and partially mending its neglect for historical causality.

Cairney and Jones (2016: 52) believe that the first step to change the course of the research program and facilitate its theoretical refinement is the application of the MSF in a non-trivial way. To this effect, they motivate scholars applying the MSF to adopt the following suggestions:

1. *Demonstrate proficiency with the MSF*: Kingdon's original work dates back to 1984 and is based on Cohen, March and Olsen's GCM of 1972. A contemporary understanding of the MSF requires users to work with its newest theoretical developments.
2. *Speak to the MSF*: For theoretical development to happen, MSF users must share a common understanding of its mechanism by using the shared language of its core elements and processes: problem stream, policy stream, politics stream, policy entrepreneurs and policy windows. A non-superficial application of the MSF demands working with all of these concepts, as well as making an effort to challenge the approach and elucidate how they could be modified or altered in order to obtain better results. Such communication with the MSF can help discover when it is useful and when it is deficient, and how it might be improved.
3. *Speak to broader policy research*: As we are attempting to show in this chapter, the MSF is situated in a much broader policy literature that aspires to explain the policy process. MSF users should not confine their research to this particular policy theory, but explicitly explore the connections between the MSF and the broader literature.

The present analysis will make an explicit effort to assume these suggestions in order to escape the all too common superficial use of the MSF in academia, where the framework is only applied in heuristic terms, as a structured description of policy processes. The following sections present two other prominent theories of the policy process, the PET and the ACF.

4.3.2.2 The Punctuated Equilibrium Theory

The second synthetic approach presented in this chapter is Frank Baumgartner and Bryan Jones's Punctuated Equilibrium Theory (PET), originally developed in their book *"Agendas and Instability in American Politics"* (2009). With its 2nd edition of 2009 receiving so far more than 5,800 citations in Google Scholar⁴³, this model (John, 2003) or theory (Boushey, 2013) has become a landmark within the policy agenda research tradition. While most theories of the policy process focus either on policy stability or change, this theory of agenda-setting and policy decision-making claims being able to explain both. Its *general punctuation hypothesis* (Jones and Baumgartner, 2005) has been evaluated across issue areas, institutional and international contexts (Boushey, 2013: 144). Furthermore, large part of its success stems from its involvement in comparative politics and the development of impressive online databases that allow researchers to evaluate PET empirically and over time. The US-focused *Policy Agendas Project* quickly

⁴³ Date accessed: 10/02/2016.

prompted the development of several other national databases across the globe. A success that inspired the *Comparative Agendas Project*, a collaborative database documenting parallel indicators of longitudinal policy attention across 14 Western democracies (Baumgartner et al., 2006, 2011; Boushey, 2013).

PET's development was profoundly motivated by the author's dissatisfaction with the American policy literature of the early 1970s, which prompted a 'static or stability framework' of the policy process (Jones and Baumgartner, 2012: 2; Sabatier, 2007a: 327). Stable political systems, constant policies, incremental adjustments and grid-locks were emphasized, while non-incremental policy changes were neglected and seen as disjoint, episodic and unpredictable (Lindblom, 1959; Wildavsky, 1964). Jones and Baumgartner thought such inattention for major policy changes made understandings of policy dynamics inadequate and incomplete: "While they got the story mostly right, the part that they missed struck us as too important simply to ignore" (Jones and Baumgartner, 2012: 2).

Accordingly, PET consents with former accounts of policy dynamics in that public policies are normally characterized by tremendous stability and equilibria, mainly because changes are frequently held back by political and institutional constraints. In contrast, it recognizes that radical and non-incremental policy changes take place occasionally but are essential to policy dynamics, as they alter the status quo dramatically. Moreover, disjointed policy changes would happen much more frequently than former approaches suggested and not just as a consequence of elections and external events, but also through policy-by-policy adjustment processes (Baumgartner and Jones, 2009; Jones and Baumgartner, 2005).

Micro-foundation and core elements

To be able to explain stability and both marginal and large-scale policy change, PET is grounded on a dual micro-foundation that derives from the combination of boundedly rational individuals and political institutions (True et al., 2007). Unlike the MSF (Kuhlmann, 2016), the PET underlies decision-making both at the individual and the systemic level on bounded rationality, after Jones (1994) extended Simon's original concept (1957) so it could acknowledge multilevel institutions and explain collective attention shifts.

This works as follows. As we know, bounded rationality rejects the premise of comprehensive rationality and portrays individuals as experiencing severe biological and cognitive limitations. In this sense, PET particularly emphasizes how people suffer from short attention spans and rapid shifts in attention, which it refers to as 'serial processing' (Jones, 1994). To overcome such cognitive limitations, human organizations use specialization of functions and hierarchical structures that allow 'parallel processing'. In other words, unlike individuals, some organizations

allow different inputs to be processed simultaneously. This role is played in the policy process by issue-oriented policy communities or policy subsystems, where specialists work at a level of government not particularly visible to the public, and with minimal involvement from senior policy makers. Here, specialists address many related issues simultaneously.

Notwithstanding, policy decisions are not made at the subsystem level but at the macro-political level. Hence, policy issues are transferred upwards to executive and legislative bodies that make policy change happen. Generalist policy-makers face the same cognitive limitations that regular individuals do and process information in a serial fashion. Here lies an essential element of PET's micro-foundation: Because decision-makers at the macro-political level have 'serial' attention, the consideration of a new policy image involves a serial attention shift. Collectively, such attention shifts can lead to disjoint or radical alterations among preferred policy alternatives, thus creating major or non-incremental policy changes (Baumgartner and Jones, 2009; Crank, 1994; Jones and Baumgartner, 2012; True et al., 2007).

The question is why some issues are handled in policy subsystems and cause little or no change, whereas other issues are also taken upon by the macro-political policy-makers and derive in disruptive changes. PET argues that the difference lies largely in the incidence of negative and positive feedback processes (Baumgartner and Jones, 2009; Jones and Baumgartner, 2005).

A *negative feedback process* usually occurs when a policy subsystem is dominated by a single interest or group of interests, which is conceived as a 'policy monopoly'. Since dominating actors are beneficiaries of the status quo (Boushey, 2013: 140), the institutional monopoly will emphasize aspects and dimensions of an issue—a so called 'policy image'—that supports the policy in place. This dampens pressures for change, whereby eventually policy does not alter or only does so marginally.

On the other hand, major policy changes take place as result of *positive feedback processes*. These can take place because policy monopolies are not invulnerable. Disagreements in a policy subsystem over a policy image, that is, over the particular framing of a policy issue, empowers marginalized interest groups who want their claims to be heard. To take their case to policy-makers, such groups engage in 'venue shopping', strategically moving across jurisdictions to gain agenda access (Baumgartner and Jones, 2009). Policy entrepreneurs come into action, seizing policy windows and manipulating their way onto the macro-political agenda (Kingdon, 1995). Moreover, as agenda-setting takes place, new political actors and jurisdictions become involved in the issue. The expansion becomes unstoppable and the monopoly is challenged. If macro-political actors place enough attention on a new policy image, collective attention shifts occur and the partial equilibrium is punctuated, which means that large, non-incremental changes in policy take place.

Finally, after reforms are implemented, public and political involvement slowly recedes. A new equilibrium is then established and the political issue is brought back to the parallel processing of a newly configured policy community (Baumgartner and Jones, 2009; Boushey, 2013; Jones and Baumgartner, 2005; True et al., 2007).

If we bring together all the ideas espoused so far, then subsystem politics is the politics of parallel processing, policy monopolies, dominating policy images, incrementalism, negative feedback processes and policy equilibrium. In turn, macro-politics is the politics of serial processing, competing policy images, manipulation, positive feedback processes and punctuations (True et al., 2007: 162). Together, multilevel institutions and bounded rationality make policy making “a continual struggle between the forces of balance and equilibrium, dominated by negative feedback processes, and the forces of destabilization and contagion, governed by positive feedback processes” (Jones and Baumgartner, 2012: 3). The general consequence is a policy process that is usually characterized by equilibrium, but in which punctuation occasionally does occur through positive feedback cycles, changing the status quo altogether and establishing a new policy image in the policy subsystem (Baumgartner and Jones, 2009; Jones and Baumgartner, 2005).

Application

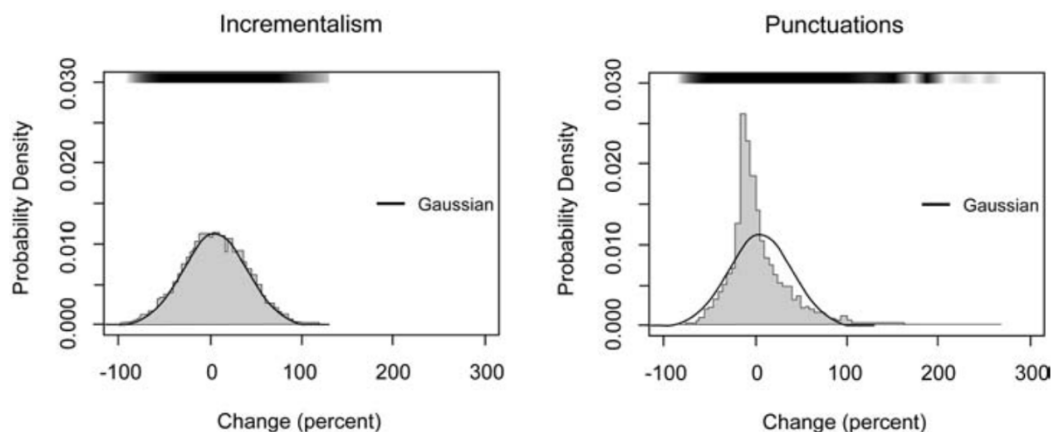
The foundations of the PET can be conceptualized in what Jones and Baumgartner (2005) call a *general punctuation hypothesis*. This hypothesis presumes that, regardless of the policy-making context, individual cognitive constraints interact with institutions to produce punctuated dynamics in policy decision-making. The idea behind it is that bounded rationality and cognitive limitations are universal phenomena. On the contrary, punctuated dynamics are highly sensitive to the degree of friction imposed by institutional rules, which are not universal nor homogeneous. There is therefore “a greater likelihood of punctuations in some institutions of government rather than others; this is related to the efficiency of the institutional design” (ib.: 2005: 20).

The evaluation of the general punctuation hypothesis is a difficult task, however. Positive feedback processes result from stochastic events, which are events that include random variables and are therefore unpredictable. In this case, positive feedback processes happen as the result of complex interactions between available policy solutions, participants and receptive venues at critical moments (Boushey, 2013: 146). Which combinations result in positive feedback processes is nearly impossible to anticipate.

Despite the difficulties, preliminary PET studies focused on explaining how these complex interactions precipitate negative and positive feedback cycles. Unlike the MSF and the ACF, researchers working with the PET usually adopt quantitative research approaches. Moreover, they

adopt stochastic process models and longitudinal case studies to illustrate how these variables interact over time. For instance, Jones and Baumgartner's (2005) frequency distributions show how most period-to-period changes in the US government budget were not normally distributed but rather leptokurtic, as would be expected by the general punctuation hypothesis. A normal distribution, with larger shifts in policy occurring equally around the mean, would imply that policy changes occur through gradual adjustments in an incremental fashion. Conversely, a leptokurtic distribution, with slenderer peaks and fatter tails than normal distributions, implies that moderate policy alterations occur less frequently, and major policy changes more frequently, than anticipated by the incremental model (Figure 6 illustrates such distributions associated with incremental and disproportionate information processing). These results confirmed the existence of punctuated equilibrium dynamics and provided a deeper understanding of the complex interactions that lead to negative and positive feedback cycles.

Figure 6: Incremental and punctuated policy change distributions



Source: Breunig and Koski (2009: 1116).

Furthermore, in order to analyze the theory's broader implications, researchers applied the former models but focused on aggregate patterns of policy outputs across issues and institutions. To this end, PET-researchers developed a very impressive collaborative network made out of online databases that capture government attention over time. The first of this kind was the *Policy Agendas Project*, which focused solely on the USA but quickly prompted the development of several other national databases across the globe. This success inspired the *Comparative Agendas Project*, a collaborative database documenting parallel indicators of longitudinal policy attention across 14 Western democracies (Baumgartner et al., 2006, 2011). Prior agenda-setting studies had largely been case studies, which made systematic comparisons impossible. That is why these

projects are so important to comparative politics, because they use indicators that allow to systematically trace policy attention across times and issues (Baumgartner et al., 2006: 970).

Overall, PET's comparative research has demonstrated that variation in decision rules and transaction costs across institutional contexts shape the frequency and magnitude of policy punctuations. Hence, institutions that make policy change more difficult are also more susceptible to large policy punctuations (Boushey, 2013; Jones and Baumgartner, 2012).

Theoretical development

As a synthetic approach, PET draws together research and knowledge from past theories of the policy process. Four of the traditional approaches that were covered in past sections were particularly influential (John, 1998, 2013). First, *institutional approaches* are of particular importance, since the structure of governing systems defines political decision-making. A resistance or 'friction' to adjustments would be directly built into policymaking systems, constraining change and creating partial equilibriums. To overcome frictions and punctuate these equilibriums, the informational signals have to be extraordinarily strong or have to accumulate over time (Jones and Baumgartner, 2012: 8). Punctuations are deeply affected by institutional arrangements as well, because the structure of the macro-political system determines how information is processed and how collective attention shifts take place.

Rational approaches appear in the form of bounded rationality, which is at the heart of the PET's micro-foundation, limiting individuals and policy makers so that they cannot escape serial processing. These limitations are the reason why collective attention shifts happen. Moreover, policy monopolies are held by individuals who are benefitted by the policies in place, and are overturn by entrepreneurs who would benefit by the adoption of alternative solutions.

Ideas and networks also play an important role in the PET. *Ideas* are central to Baumgartner and Jones' (1993, 2009) conception of 'policy image', which is a particular framing of a policy issue. Inasmuch as the dominant policy image is not contested inside a policy subsystem, policy monopolies stay strong and negative feedback processes take place. But when the dominant policy image is challenged, marginalized interest groups are empowered and try to attract policy makers' attention. If enough attention is payed to a new policy image, then policy change can occur. Moreover, *networks* are the political arenas where subsystem politics take place, just as in the MSF. It is in these communities where policy specialists discuss issues and possible solutions. Interest groups with competing ideas are continually trying to dominate these policy subsystems in order to determine agendas and the definition of problems. Policy changes are usually associated with the entrance of new interest groups or the forming of new coalitions.

In contrast, *social and economic factors* are acknowledged but not central to the PET. The policy context is mainly present in external events that communicate messages to policy makers and motivate attention shifts to new policy images (John, 2013: 20). If enough policy makers shift their attention, then a disruptive policy change is likely to take place.

Finally, the authors of the PET draw heavily on many concepts that come directly from Kingdon's MSF (1984). Focusing events, policy windows and Kingdon's particular understanding of policy entrepreneurs are adopted in detail by the PET's account of the policy process. Moreover, even though it was Kingdon who pushed Baumgartner and Jones to adopt biological and evolutionary ideas (Baumgartner, 2016: 14), it is clear that the PET is more influenced by evolutionary theory than the MSF (John, 2003: 488). Indeed, Baumgartner and Jones' (1993) conception of incremental and sudden change within a single political system draws directly from evolutionary biology and paleontology, notably from Eldredge and Gould's (1972) theory of punctuated equilibrium theory of speciation. PET's sensitivity for stochastic events with positive and negative feedback processes is a manifest example of this influence, as well as from finance economics and the study of complex systems (Jones and Baumgartner, 2012: 10–11).

Limitations

PET's sensitivity to stochastic events that produce positive feedback processes comes at a price. Namely, that predictions on policy dynamics will only be possible in times of stability. That is, when positive feedback processes and punctuations do not occur (True et al., 2007: 179). This is because stochastic events include random variables that make predictions unfeasible, as are the endless interactions between available policy solutions, participants and receptive venues at critical moments (Boushey, 2013: 146). In such cases, the PET utility is constrained to explaining and understanding policy changes.

However, since stasis and equilibrium characterize policy dynamics most of the time, one could argue that PET is still very useful as a predicting model. A similar problem is identified by John (2013: 21), which is that quantitative analysis –scholars working with PET almost exclusively use quantitative research methods (Jones and Baumgartner, 2012: 13)- are usually not good at explaining causal relations. Rather, they mainly suggest associations, so that it could be argued that ultimately the theory is largely descriptive.

Lastly, the model is essentially bottoms-up and ignores the top-down dimension of policy-making. In the PET, major policy changes result from positive feedback processes caused by disagreements over policy images at the subsystem levels. How can policy makers shape preferences from above? This is a side of policy-making that PET largely neglects.

4.3.2.3 The Advocacy Coalition Framework

The last synthetic approach reviewed is the Advocacy Coalition Framework (ACF), developed by Paul Sabatier and Hank Jenkins-Smith in the 1980s. As with the other two approaches reviewed in this chapter, the ACF has become an essential inclusion in every textbook of the policy literature. More than 100 applications have been published by the authors and other scholars, and its most famous version (Sabatier and Jenkins-Smith, 1993) has been cited around 1,870 times in the last decades (Cairney, 2015: 481). Among theories of the policy process, various policy scholars regard it as the most ambitious (Capano, 2009: 23) and closest to a general theory of policy-making (Cairney, 2015: 485). Outside the USA, researchers have resorted to it to explain policy changes in the European Union and its member states, but also in regions such as Asia, Africa and South America (Weible et al., 2011). Its partially due to its widespread use beyond the USA that the ACF has been subject to an unusually high number of revisions (Sabatier, 1988; Sabatier and Jenkins-Smith, 1993, 1999; Sabatier and Weible, 2007).

Foundation stones and policy change

The ACF originated out of Sabatier's (2007a: 326) dissatisfaction with the bifurcation of implementation studies in the 1980s (top-down vs. bottom up), the neglect of technical information in policy theories, and the largely simplistic model of individual behavior in rational approaches. This discontent is noticeable on the three 'foundation stones' (Weible et al., 2011: 191) that form the causal mechanism of its theory and join together individual behavior with structural elements.

At the macro-level, it conceives the policy process as a competition among actors that defend and promote ideas and beliefs about problems and solutions in the political arena. These competitions take place in *policy subsystems*, understood as "a set of actors who are involved in dealing with a policy problem" (Sabatier, 1988: 138). Stakeholders compete against each other in policy subsystems to make governmental action functional to their interests, as they learn and acquire knowledge through these interactions. There are also *policy brokers* within the subsystem, whose role is to minimize conflict and produce workable compromises between coalitions, as well as a "sovereign" or "government authority" in charge of policy-making.

At the meso-level, the authors introduce the concept of '*advocacy coalitions*' to group together actors with similar interests and preferences. Resembling descriptions from group and network theories, these structures are rather abstract and do not necessarily have to be formalized in institutions or organization. Inasmuch as the ACF puts a strong emphasis on the role of ideas in policy-making, actors are not only influential because they can exercise power, but also because they articulate important information. Thus, advocacy coalitions can be made up by political and

entrepreneurial leaders, but also by journalists and investigators. Generally, each policy subsystem has between two and four relevant coalitions, but dormant subsystems might hold only one active coalition.

Behavior at the micro-level draws upon research on social and cognitive psychology. Beyond bounded rationality (Simon, 1957), actors process information and conceive the world through a variety of cognitive distortions that act as heuristic guides in complex situations. In the political context, these guides take the form of so called '*belief systems*', which shape public problems and define policy solutions for actors and coalitions. Belief systems are tripartite structures, formed by a set of basic values, causal assumptions and problem perceptions of different rank with a decreasing resistance to change:

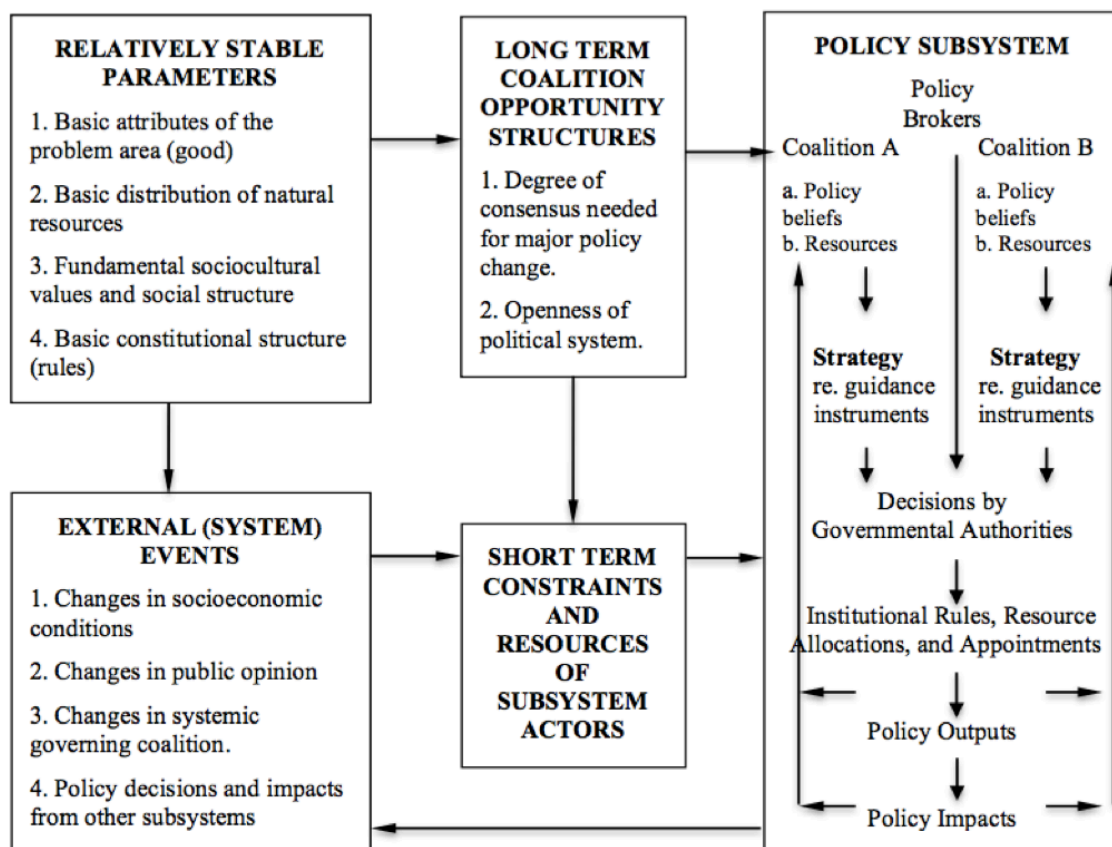
- *Deep core beliefs* contain deeply held normative axioms that define thoughts on human nature, society and the world, in general. They are an actor's "underlying personal philosophy" (Sabatier, 1988: 144) and are largely a product of childhood socialization. This includes thoughts on justice distribution or sociocultural identity, for instance. As such, these beliefs rarely ever change and their alteration would be comparable to a religious conversion (ib.: 1988: 145).
- *Policy core beliefs* consist of fundamental policy positions and strategies regarding a particular policy subsystem. For instance, the proper balance between government and market on education policies or the support for hardline criminal policies. As with deep core beliefs, they have a primarily normative character (ib.: 1988: 145), which places them largely beyond direct empirical challenge. Still, policy core beliefs can be subject to variation if policy experiences reveal serious anomalies.
- *Secondary aspects* are instrumental considerations on how a particular policy should be implemented. For instance, if individuals with criminal records should be allowed to acquire firearms. Unlike core beliefs, secondary aspects are much narrower in scope and thus moderately easy to change as a result of contradicting evidence or agreements among other actors.

Belief systems also hold advocacy coalitions together. Political affinity thrives actors with similar ideas to join coalitions and compete in the policy subsystem to see governmental institutions behaving in accordance to their beliefs. Individuals and coalitions behave rationally, thus making an efficient use of the constitutional tools at their disposal. This includes persuading officials to modify budgets and goals, influencing public opinion through mass media and even altering a problem's perception by the production of knowledge and information. The competition among coalitions supposes a dominant coalition and one or more minority coalitions, with which the

dominant coalition is forced to negotiate and give in, to a certain extent. Governmental authorities and the dominant coalition can be hard to discern within a subsystem, since policy-decisions made by the first often appear to be consistent with the latter's belief system.

Sabatier and Jenkins-Smith also take the wider social and economic environment into account. Policy subsystems seem to be relatively open, multi-level policy-making systems that operate within a wider external system (Figure 7). This wider environment is composed by factors, structures and events that provide each coalition with different opportunities and constrains. This includes (1) parameters that stay relatively stable during the time period studied -a “decade or more” (Sabatier and Weible, 2007: 193), such as the distribution of natural resources or the fundamental sociocultural values. (2) Long term coalition opportunity structures, such as the openness of the political system and the degree of consensus needed for major policy change. And (3) external (system) events like changes in socioeconomic conditions, public opinion or the ruling government. This last category also includes decisions and impacts that come from other policy subsystems.

Figure 7: 2005 Diagram of the Advocacy Coalition Framework



Source: Sabatier and Weible (2007: 202).

The competition among advocacy coalitions sets the tone for explaining policy change, the main object of study of the ACF. It is understood as the consequence of the transformation of a hegemonic belief system within a policy subsystem. Excluding major changes to coalitions following an “enlightenment function of policy research” -that usually takes decades to occur- (Sabatier, 1988: 158), policy changes can happen as a result of two processes:

- Minor policy changes can occur through a process of ‘policy-oriented learning’, a learning process based on Heclo’s (1974) concept of ‘political learning’. It implies that a hegemonic coalition readjusts and adapts its belief system in order to better accomplish its objectives. Ideas come into play again in the shape of past experiences and new technical information, playing an important role in modifying the beliefs of policy participants and ultimately changing policies. Coalitions can also ‘learn’ from each other, but only when specific beliefs are too important to ignore. However, policy-oriented learning almost always leaves core beliefs intact and only affects the secondary aspects of a belief system. In consequence, this process generally does not produce major policy changes nor alter the balance of power between coalitions.
- Major policy changes are prompted largely by internal or external shocks, similar to Kingdon’s (1995) ‘focusing events’, that cause the redistribution of critical political resources among the actors within a subsystem. Examples of external shocks to a subsystem would be the election of a government with a belief system that favors a minor coalition, or macroeconomic changes that undermine the ability of a dominant coalition to defend its policy and allow another coalition to better promote its solution. In any case, external shocks are necessary but insufficient prerequisites for policy change. In order for policy mutation to occur, there has to be a minor or secondary coalition that is better equipped to interpret and solve the policy problems caused by the shock. Furthermore, internal shocks are less frequent but also possible⁴⁴ (Sabatier and Weible, 2007). They imply a sort of focusing event that is not outside the control of subsystem actors and which leads to the transformation of the dominant coalition’s belief system. One possibility, akin to a crisis of confidence, is when an important number of actors revisit their policy core beliefs after the monumental failure of an implemented policy. Another possibility for major policy change is as consequence of ‘negotiated agreements’, which imply consensual decisions reached within a policy subsystem after years of infighting.

⁴⁴ The original version of the ACF (Sabatier and Jenkins-Smith, 1993) considered events that were external to a subsystem as a necessary cause for major policy change. This was modified later on (Sabatier and Weible, 2007), since the authors considered that there was enough evidence of internal events -not outside the control of subsystem actors- that could also change power balances and lead to major policy changes.

Theoretical development

All in all, the assumptions of the ACF have not changed since its conception and can be outlined as follows: The policy subsystem is the main focus of policymaking and the primary unit of analysis; a long-term time perspective is needed in order to understand subsystem affairs; advocacy coalitions, held together by common beliefs, are the key political actors of the process; and policy designs are interpreted as translations of coalition beliefs (Sabatier, 1988; Sabatier and Weible, 2007; Weible et al., 2011). These assumptions provide the framework with what is a very ambitious explanation of policy development and change. Indeed, to provide an overview of the entire policy process, its authors draw together research on all five core causal processes of one-dimensional approaches (Cairney, 2015: 494–495; John, 2013: 4–10).

Despite revisions in this regard (Sabatier and Weible, 2007) and because of the importance of *group and network theories* -at the heart of advocacy coalitions and policy subsystems-, the role of *institutions* is probably the less well developed in the ACF. They shape policy subsystems and determine their dynamics, while appearing as forms of behavior linked to rules and norms which coalitions accept or challenge. Conversely, the *policy context* or *wider socioeconomic environment* is quite present, providing the opportunities and constraints that make the difference for one or another coalition within the political competition. Actors and coalitions behave *rationally*, but the influence of bounded rationality on policy decision-making is somewhat relegated as well. Mostly because what really stands out in the ACF is the major role given to the construction and operation of belief systems, and thus of ideas and knowledge. As the MSF, the ACF takes the *ideational approach* seriously and gives it a role as driver of changes. The framework assumes that the motivation of policy participants is to translate their personal beliefs into actual policy -even more than material interests- and it underscores the importance of scientific and technical information to modify beliefs and eventually policy. Thus, ideas, socioeconomic conditions and networks are at the center of the model, while institutions and rationalism are present but play mostly a secondary role.

Limitations

This apparent ‘neglect’ of institutional constraints and individual behavior is the first of many limitations that critics of the ACF have pointed out since its initial development. Accordingly, the ACF would not take all relevant institutions into consideration, which Sabatier and Weible (2007: 209) acknowledge, nor the possibility of influential actors choosing to behave in a way that contradicts their beliefs. Secondly, the conceived political system would not be dynamic enough to explain the policy process (John, 2013: 8–9), since it depends on focusing events in order to change. If internal or external shocks do not happen, then policies would stay stable infinitely?

Capano (2009: 23–24) agrees and adds that not enough theoretical attention is paid to feedback effects between external factors and internal dynamics of policy making. Policy networks would usually manipulate external factors to their own advantage and would be capable of ‘manipulating’ internal crises, but the theory does not consider this possibility. Third, the ACF’s focus on ideas and knowledge makes it more a theory of stability than of change, since mutations in belief systems are not actually capable of producing paradigmatic policy mutations, only incremental ones (Capano, 2009: 23–24; John, 2013: 8–9). At last, as in the PET and the MSF, a long-standing criticism is that it does not properly address the collective action problem. Accordingly, coalitions should not only be identified by shared beliefs, but also by shared patterns of coordination (Schlager, 2007: 303–304).

4.3.2.4. Synthetic or multidimensional approaches in comparison

Of the whole range of different models, theories and frameworks of the policy process, the three approaches reviewed in detail are among the most similar ones. In fact, the MSF, PET and ACF are closely related, inasmuch as they resort to approximate variables to explain similar processes. Moreover, as synthetic approaches, they are among the few that acknowledge all or most of the crucial explanatory elements of the traditional or one-dimensional theories (Capano, 2009: 19; John, 1998, 2003). This broad resemblance has even lead scholars to question if they could work within a same theoretical framework (Schlager, 2007: 297). Real-Dato (2009) answered this call, arguing that the MSF, PET and ACF could be joined into a single ‘synthetic explanatory framework’ with the cumulative knowledge of each approach. And while there is an emerging line of research in the public policy literature that points to such a development in the near future (Nowlin, 2011: 55–56), the inconsistencies for such an endeavor are still too great. Despite the similarities, the approaches interpret explanatory variables in divergent ways, have dissimilar focuses and conceive the policy processes differently. For Cairney and Heikkila (2014: 383), “theoretical consolidation is in its infancy and may yet be subject to tantrums and teething troubles”.

This heterogeneity also makes broad comparisons more difficult. It must overcome ambiguous terms, fluid definitions and different levels of analysis. To do so, we base our comparison on the works of Schlager (2007), Capano (2009), Cairney and Heikkila (2014), and adopt those comparative elements that are more useful to our purposes. We are interested in contrasting how each of the three synthetic approaches describes the explanatory variables of the policy process that have been discussed during this chapter, as well as the relationship among them: *institutions*, *policy context*, *individual behavior*, *networks*, and *ideas*. Furthermore, each approach has a different *scope* and an own conception of how the former variables structure *collective action*,

which is the way individuals come together, organize themselves and work for *policy change* to happen. The specific explanation for these two processes will also be compared (see Table 2).

Scope

To some extent, the three approaches under review address questions regarding how public policies are formulated and change. However, each approach focuses on different stages of these processes. The main objective of the MSF is to explore how political issues and corresponding solutions reach the decisional agenda. Its primary focus is thus agenda-setting, while only subsequent extensions have explicitly emphasized the decision-making process. The PET, meanwhile, explains why policy changes are usually incremental but every now and then a disruptive change takes place. The focus is partially on agenda-setting, but mainly on how the political system processes information and how this leads to policy formation and change. Finally, the ACF does not really follow the policy stages pattern. Coalitions compete with each other to have their ideas transformed into policy. Therefore, the focus is somewhat between policy formation and change.

Institutions

If recent attempts to reinforce its influence (Herweg et al., 2015; Zohlnhöfer et al., 2016) are not taken into account, then the original MSF pays only very limited attention to the institutional setting. Explicit attention is focused solely on administrative or legislative turnovers. Their role is rather implicit and lies in means to help ration attention. Conversely, institutions play a major role in the PET from the moment that the structure of governing systems defines political decision-making. Policymaking systems would have a resistance or friction directly built into them, constraining change and motivating partial equilibriums. Punctuations are deeply affected by institutional arrangements as well, because the structure of the macro-political system determines how information is processed and how collective attention shifts take place. Lastly, the role of institutions is probably the less well developed in the ACF, since the focus is placed on networks at the subsystem level. Their importance lies in shaping policy subsystems and determining their dynamics, as well as providing possible venues for coalitions to compete for influence in multiple arenas.

Policy context

All three approaches assume that the policy context is marked by ambiguity, uncertainty and physical limitations that impose constraints on the actions of groups and individuals. Furthermore,

the MSF acknowledges the wider socioeconomic environment in the form of indicators, national mood swings, external pressure group campaigns, focusing events and policy windows. Yet, these indicators are not that important by themselves. If they are to have any meaning in the policy process, policy entrepreneurs and policy makers have to react properly and take advantage of the opportunities that they present. Something similar happens in the PET. The policy context and external events are acknowledged but only matter inasmuch as they motivate policy makers to pay attention to new policy images. More important is the wider socioeconomic environment in the ACF, where advocacy coalitions are strongly influenced by internal and external events. Hence, the context provides the opportunities and constraints that make the difference for one or another coalition within the political competition.

Individual behavior

Some kind of bounded rationality model is used by all three approaches to explain individual behavior. In the case of the MSF, it is specifically used to conceptualize policy entrepreneurs, who invest their resources for future gains, and policy makers, who are sure about their career objectives but have unclear policy preferences. Despite its importance, the central ontological premise of the MSF is ambiguity and not bounded rationality. The PEM and the ACF do have bounded rationality at the heart of its micro-foundations, but emphasize different aspects of it. The PEM accentuates how bounded rationality forces individuals and policy makers to process information in a serial fashion and generate serial attention shifts. Rationality is also noticeable in policy monopolies, which are held by individuals who are benefitted by the policies in place, and are overturned by entrepreneurs who would benefit by the adoption of alternative solutions. In turn, the ACF makes bounded rationality subject to the individual's inner world. Cognitive limitations influence decision-making through the construction and operation of belief systems, and thus of ideas and knowledge. Hence, all three approaches depart from Simon's (1957) boundedly rational individual, but shape its influence in policy-making according to other explanatory variables of the policy process.

Networks

As with bounded rationality, all three approaches consider groups and networks to be decisive for the policy process. It is at the policy subsystems, where policy communities or advocacy coalitions produce and discuss ideas that are to become policies. The MSF suggests that policy communities are relatively open networks in which experts generate ideas among highly specialized participants. Among them are policy entrepreneurs, who try to find the proper occasion to couple their policy solutions to a particular problem. The PET adopts an approximate

conception but highlights how interest groups with competing ideas try to dominate policy subsystems in order to determine how issues are framed at the macro-political level. Punctuations in the policy equilibrium are associated with the entrance of new interest groups and the forming of new coalitions in the policy subsystem. But networks are the most important in the ACF, since its principal focus is on the political arenas where subsystem politics take place. Networks represent key venues for advocacy coalitions to interact and compete. Also noteworthy is how the ACF underscores coalition participants that go beyond government and interest groups, such as academics and analysts.

Ideas

The three approaches recognize that ideas or allegations on the origins and solutions to public problems are also fundamental for policy action. Kingdon's (1995) focus in the MSF is on the interaction and conflict between new policy solutions and the established beliefs of a policy community. For a policy proposal to progress and go on to produce a change in policy, first it has to be feasible and acceptable to the policy community. The process is very similar in the PET, where ideas are conceptualized in the form of policy images, which are particular framings of a policy issue. When a policy image dominates a policy subsystem, a negative feedback process takes place. But if this monopoly is challenged by another policy image and its supporters manage to attract enough attention by policy makers, then a positive feedback process occurs and policy change can happen. Finally, the ACF raises the bar and gives ideas a main role as drivers of the policy process. Indeed, it assumes that the principal motivation for actors to participate in the policy process is to translate their personal beliefs into policy.

Collective action

While all theories understand policy change as a result of collective action, they do not explain nor emphasize it in the same way. Pressure campaigns by interest groups and administrative or legislative turnovers certainly play a role in the MSF, but the focus is largely on the critical roles played by specific individuals, such as policy entrepreneurs and policy makers. Explicitly, policy changes happen because of specific and well-situated individuals, whereas collective action is somewhat taken for granted and ignored in a narrative that emphasizes 'great man' theories of history (Schlager, 2007: 302–303). Again, the PET acknowledges this element in a similar way. Policy changes derive from new policy images that challenge dominant images at the subsystem level. These new policy images are supposed to emanate from marginalized interest groups that come together to change the *status quo*. However, how these interests came into being is largely ignored. In contrast, because the ACF largely focuses on networks and ideas, collective actors -

in the form of advocacy coalitions- are the protagonists of the policy process. These coalitions compete for the dominance of policy subsystems and for the implementation of their proposals, thus featuring the importance of collective efforts in achieving policy changes.

Policy change

By definition, theories of the policy process must account for policy change. The approaches under review do so in distinctive form, but proceed from the idea that public policies are characterized by incrementalism or equilibrium, and only occasionally suffer major changes or punctuations. In the MSF, major policy changes usually happen when all three streams are ‘ripe’, a policy entrepreneur seizes a policy window, couples a policy proposal to a specific problem, and finds receptive politicians. The PET agrees with the paradigm of generally stable public policies, but underscores the relevance of non-incremental changes that alter the *status quo* dramatically and occur more frequently than thought. These disruptive changes happen as the result of positive feedback cycles that take place when macro-political actors pay attention to new policy images that emanate from the subsystem level. Finally, the ACF suggests that disruptive policy change happens as a consequence of transformations of a hegemonic belief system within a policy subsystem. Against minor changes that largely occur through a process of ‘policy-oriented learning’, major policy changes are mostly prompted by internal or external shocks that cause the redistribution of critical political resources among the actors within a subsystem. Ultimately, all three approaches use similar factors and processes to explain major changes in policy. Broadly speaking, external events set the stage for individual or collective actors at the subsystem level to seize the opportunity and push their pet solutions onto the governmental agenda. Receptive politicians at the macro-political level do the rest.

The comparison among the three synthetic approaches shows similarities and differences (*see Table 2*). Broadly speaking, the MSF and the PET have more in common when compared with the ACF. This is not surprising, since PET was built upon the MSF in its early stages (Baumgartner, 2016: 14; Zohlnhöfer and Rüb, 2016b: 7).

Table 2: Comparative view of elements and processes that explain the policy process

	Multiple Streams Framework (MSF)	Punctuated Equilibrium Theory (EPT)	Advocacy Coalition Framework (ACF)
Scope	Primary focus on agenda-setting. Subsequent extensions emphasize policy decision-making.	Partially on agenda-setting, but mainly on policy formation and change.	Competition among coalitions in the policy subsystem. Policy formation and change.
Institutions	Not emphasized. A largely implicit role, allowing or suppressing individual and collective action.	Major role; the structure of governing systems defines the process. Policy-making systems have frictions built into them that constrain changes.	Not emphasized. Institutions provide venues for action, while informal rules shape policy subsystems and their dynamics.
Policy context	Ambiguity, uncertainty; Focusing events and policy windows, but only meaningful if individual actors take advantage of the opportunities they present.	Ambiguity, uncertainty; Focusing events and policy windows, but only meaningful if they motivate policy makers to pay attention to new policy images.	Stable parameters, long term coalition opportunity structures, and internal and external events provide opportunities and constraints for coalitions within the subsystem competition.
Individual behavior	Two boundedly rational individuals: policy entrepreneurs and policy makers. Other actors are rather characterized by ambiguity.	Bounded rationality at the heart of micro-foundation, defining how individuals process information.	Bounded rationality at the heart of micro-foundation, but subject to individual's inner world and belief system.
Networks	Policy communities at the subsystem level, where experts generate ideas.	Groups compete in policy subsystems to determine how issues are framed at the macro-political level.	Principal focus is on networks, where advocacy coalitions interact and compete to dominate a subsystem.
Ideas	Originate in policy communities. Focus is on the interaction between policy solutions and the established beliefs of a policy community.	Conceptualized as policy images, whose advocates compete for the domination of a policy subsystem. Challenges can produce positive feedback processes.	Main role as drivers of policy change. Actors participate in the policy process to translate their beliefs into policy.
Collective action	Collective action is acknowledged but not emphasized, as policy change is the result of actions by specific and well-situated individuals.	New policy images derive from marginalized interest groups, but their origins are largely ignored.	Advocacy coalitions as protagonists of the policy process.
Policy change	Incrementalism is the norm. Major policy changes happen when all streams are 'ripe', policy entrepreneurs couple policy proposals to specific problems, seize opportunities and find receptive politicians.	Underscores relevance of non-incremental changes. These happen as the result of positive feedback cycles that take place when macro-political actors place attention on new policy images that emanate from the subsystem level.	Incrementalism as consequence of 'policy-oriented learning'. Major policy changes as consequence of internal or external shocks that cause the redistribution of critical political resources among the actors within a subsystem.

Source: Own elaboration.

This theoretical proximity is firstly noticeable in how these two approaches acknowledge the policy context. Ambiguity and uncertainty are omnipresent in the MSF and PET, where external events also influence the process through focusing events and policy windows. Nonetheless, external factors are only meaningful to policy change if specific individuals are able to take advantage of them. In contrast, the ACF does recognize that the policy context has a direct influence in the policy process, providing opportunities and constrains for coalitions within the

subsystem competition. Secondly, networks are present in all three approaches in the form of policy communities or policy subsystems. Yet their role in the MSF and PET is largely secondary, while the ACF's primary focus on the competition among advocacy coalitions places networks at the center stage. The ACF also distinguishes itself regarding ideas. These are important in the MSF and PET, facilitating or hampering the interaction among actors, but play a main role as drivers of policy change in the ACF. Lastly, collective action is very present in the ACF but goes somewhat unnoticed in the other two approaches. This is because advocacy coalitions are the protagonists of the policy process in the ACF, while the MSF emphasizes individual actors and the PET regards interest groups rather superficially.

Regarding their scope and the influence of the institutional context and individual behavior, the approaches deal with it in various ways. The original MSF focuses mainly on agenda-setting, while subsequent extensions have emphasized the decision-making process. The PET and ACF, meanwhile, deal mainly with issues concerning policy formation and change. Moreover, the role of institutions is largely implicit in the ACF and in the original MSF, but is explicit and essential in the PET, causing frictions and constraining changes. Further, all three approaches share similar models of individual behavior, relying on some sort of bounded rationality. The MSF distinguishes itself for having only two boundedly rational actors, policy entrepreneurs and policy makers, while the PET and ACF have bounded rationality at the heart of their micro-foundations. Finally, all approaches acknowledge incremental and non-incremental policy changes and explain them through very similar mechanisms. They depart from the idea that public policies are largely characterized by incrementalism or equilibrium, and only occasionally suffer major changes or punctuations.

In conclusion, the three synthetic approaches under review have many elements in common and consider policy changes largely as the result of the confluence of institutional dynamics, networks, boundedly rational behavior, ideas and socio-economic factors. Because they also have different scopes, assumptions and starting points, it is not possible to determine if one is better than the others. As argued by Bardach (2006: 360), our conceptual understanding of the policy process is so rudimentary that it makes sense to let dozens of flowers bloom. Scholars working on each approach should be aware of the insights of others and think about how these insights could supplement their own theories and findings. This will be an implicit goal of our empirical analysis.

4.4 Summary and theory selection

This chapter intended to do a critical analysis of the existing models and theories of the policy process, to arrive to a conceptual framework that is adequate for our empirical analysis and

capable of guiding our research. To do so, it introduced the reader to the area of study known as 'policy studies', which refers to the task of understanding the origin and trajectory of a policy decision or set of decisions, and to its main research subjects: agenda-setting and policy dynamics. The first is the process by which public issues are constructed and defined, and then gain or lose the attention of the public and elites. The second is the process by which policies stay constant or change over time, two conditions that are immanent to all public policies but which can take place in very different forms. Changes can involve the definition of the problem that the policy addresses, the goals pursued, the instruments used, the distribution of resources or the institutions involved. They might also involve the policy's time-scale, mode, scope or directional logic, among other aspects.

Agenda-setting and policy dynamics are not independent but deeply interrelated phenomena, which is why theories of agenda-setting and policy dynamics can complement one another. The conceptual tools that incorporate their relation in the analysis relate to the broader study of the policy process, which supposes the search for causal mechanisms that explain policy changes and trajectories. The difficulty for these conceptual tools lies in the inherent complexity of the policy process, which supposes the absence of clear chains of causation. Because of their overwhelming complexity, the contemporary policy literature agrees on the need for complex and causal theories but has still not developed a unified or prototypical paradigm. Instead, there is a whole range of different approaches, models, theories and frameworks with no general explanatory theory in sight.

To differentiate these approaches, it is common to speak about two ages in policy studies. During the 'classic period' (1960-1990), the causal theories of the policy process considered policy developments to be direct outputs of macro-factors and policy change was usually explained in terms of a specific, sometimes single, element or dimension. For example, traditional or one-dimensional approaches focused only on institutions, socioeconomic events, interest groups, networks, ideas or rational behavior, among others. These explanations enjoyed high causal parsimony, but were ultimately incapable of grasping the complexity of the policy process.

The need for more elaborate theories led to the emergence of new conceptual tools that conceived the policy process from a multidimensional perspective. The 'synthetic age' (1980-2000) meant the development of synthetic frameworks and theories that considered the policy process as a complex phenomenon of a 'heterarchic' nature, with various factors converging and influencing policy decision-making. Their development signified a major progress for the discipline, because these tools were much more capable of grasping the intrinsic complexity of the object of study. In general, their use over one-dimensional approaches implied a greater depth of understanding at the expense of causal parsimony. Nonetheless, most authors in the policy literature consider this development as irreversible.

Furthermore, it is fair to say that three synthetic approaches stand out for most modern policy scholars: John Kingdon's (1984, 1995) Multiple Streams Framework (MSF), Baumgartner and Jones' (1993, 2009) Punctuated Equilibrium Theory (PET), and Sabatier and Jenkins-Smith's (1993) Advocacy Coalition Framework (ACF). These are all key works in US policy studies that have been tested profusely outside its borders. They are also closely related to each other and try to explain similar processes by resorting to similar variables, including all or most of the crucial explanatory elements of the traditional or one-dimensional approaches. The operation and core elements of these approaches were analyzed in-depth, including their limitations, theoretical contributions and further developments. A last section compared the three approaches, contrasting their scope, their perspective on policy change and their capacity to consider the explanatory variables of the policy process. The approaches have many elements in common, but also different scopes, basic assumptions and standing points. As a result, it is not possible to determine if one approach is better than the others. Depending on the agenda-setting process or the policy change in question, one conceptual tool can be more promising than the others.

In this sense, there are various reasons that make John Kingdon's MSF the most appropriate theoretical approach for our purposes. First, it is the conceptual tool that is best suited for the type of research design that we defined in the introduction (*chapter 2.2*). On the hand, because the MSF is strongly influenced by evolutionary theory and conceives policy change in probabilistic terms of learning and adaptation. On the other, it is also particularly well suited for performing case studies with a qualitative research approach and an explanatory research strategy.

Secondly, the MSF is the only approach under review that has the agenda-setting process as its main object of study (Kingdon, 1995: 2). The primary focus of the MSF is namely how political issues and corresponding solutions reach the decisional agenda, while only subsequent extensions have explicitly extended its analytical capacities to cover the decision-making process (Herweg et al., 2015; Zahariadis, 2003; Zohlnhöfer et al., 2016). A strong focus on agenda-setting is essential to our study, because gun control is generally absent in the public and political agendas of Latin America, with Brazil as the only notorious exception (Dreyfus et al., 2003: 26). Beyond understanding its exceptionality, we believe that the unusual prominence of the issue in the Brazilian agendas was fundamental for the paradigmatic policy changes that followed.

Furthermore, the MSF is the only approach under review that pays explicit attention to public emotions through the 'national mood' variable. Kingdon (1995: 146–149) depicts national mood swings as moments in which a fairly large proportion of likeminded citizens change their opinion on given issues, inducing government officials to react accordingly. This sensitivity is particularly important for our policy field, because of the fundamental role that emotions like fear and insecurity play in security policies, in general (Garland, 2001; Kessler, 2009; Paternain, 2013; Zedner, 2000), and firearm control policies, in particular (Barragan et al., 2016; Sanjurjo, 2016b;

Smith and Uchida, 1988). Additionally, Zahariadis (2015) suggests that policies related to strong emotions are more difficult to change, an assumption that might have important consequences for our case studies.

Another point to consider is that we are currently at a critical -and very exciting- moment in time to work on the MSF. After over 30 years since its original development, the framework is at the empirical and theoretical crossroad of its development (Weible and Schlager, 2016: 8). Recent review articles conclude that despite its popularity, the theoretical knowledge of the policy process has not advanced much since its first appearance (Cairney and Jones, 2016; Jones et al., 2016). For this reason, a significant number of researchers have decided to give a new impetus to its theoretical advancement. Hence, the year 2016 saw the publication of a special issue of the *Policy Studies Journal* (44(1), 2016) and a whole volume (Zohlnhöfer and Rüb, 2016a) that focus solely on its theoretical refinement and empirical applicability. This effort cannot be underrated, since so far only Zahariadis (e.g.: 1995, 2003, 2005) had been systematically committed to its theoretical improvement (Sabatier, 2007a: 332 (4)).

In accordance, we want our work to be a valuable contribution to this collective research purpose. To that end, we are committed to applying the MSF in a non-trivial way (Cairney and Jones, 2016: 52), going beyond the original framework and adopting a series of small and large theoretical modifications proposed by various scholars in recent years. Perhaps the most relevant and challenging of these extensions is Zohlnhöfer, Herweg, and Huß' (2016) proposal of introducing a second coupling process to the framework. This should allow both to analyze the different logics of agenda-setting and decision making, while highlighting the fundamental role that institutional settings play in the latter. Since most of these modifications have only rarely been applied outside the US and European contexts, we are confident that their application and evaluation on highly dissimilar Latin American case studies will contribute to their further refinement, in particular, and to the theoretical development of the MSF, in general.

At last, the recent meta-review by Jones et al. (2016: 21–22) suggests that Latin America is the geographical region where the MSF has been the least applied, at least among English-speaking peer-review articles. Their content analysis of articles applying the MSF and published between the years 2000 and 2013, shows that only 7 out of 311 articles included applications on Latin American policy processes. None of these articles addressed Uruguayan policies and only one tested the MSF on Brazilian policies trying to reverse automobile dependence in urban transport planning in Curitiba (Khayesi and Amekudzi, 2011). Specific meta-reviews have not been carried out in Latin America, but these results match Fontaine's (2015: 24) remarks on how rational approaches of policy change –among which he includes the MSF- are far less influential in the Latin American public policy literature than neo-institutional approaches. Our application will help rebalance this deficit.

Chapter 5: Empirical analysis: The Brazilian Disarmament Statute

Gun control is largely absent from the public and political debates in most Latin American countries. Only in some of them, the issue gains public and political attention intermittently, when high profile acts of armed violence occur. In any case, it is usually not elevated to agenda status nor can adhere the public and media attention for long. The only exception in this regard is Brazil (Dreyfus et al., 2003: 26), where firearm control was a prominent topic of discussion for almost a decade, both publicly and politically.

The issue gained unusual attention in the mid-1990s, when state and federal governments, legislators, advocacy groups and the mass media engaged in an intense and ongoing public debate for and against the possession of firearms by civilians. The approval of the Law n° 10.826⁴⁵ in 2003 represented a paradigm shift on the matter. The so-called ‘Disarmament Statute’ became the most comprehensive gun control policy in national history and one of the most far-reaching gun control policies in the world. The Statute prohibited the carry of firearms and adhered to the objective of strongly discouraging their possession and availability among civilians. Moreover, it introduced *avant-garde* tracing mechanisms, aggravated all penalties for firearm crimes and created a whole new range of crime definitions related to their use. The Statute also enabled a national buyback program for the voluntary collection of firearms, which allowed the collection of approximately half a million small arms during the next few years.

Finally, the Statute’s most controversial issue was related to the legislator’s desire to implement a comprehensive ban on the sale of firearms to civilians throughout the country, to be decided on a popular referendum (Art. 35). With the apparent support of the electorate, the first and only referendum held in Brazil since the transition to democracy was held on October 2005, with a similar abstention rate to that from the previous presidential election. Against all expectations, 63,94 percent of the registered votes were against the prohibition. The ban was not authorized, resulting in a resounding defeat for its advocates: Luiz Inácio Lula da Silva’s (Lula) administration, NGOs and social movements (Anastasia et al., 2006).

Apart from its regional exceptionality, the Brazilian case is especially interesting for various reasons. First, because such an ambitious and progressive policy was approved in one of the most violent countries in the world, with a socially conservative society and a thriving weapons industry. Second, because its most important article was to be decided on a national referendum, an instrument which had never been used in Brazil since the transition to democracy in 1988. This means that a specific security policy was put in the hands of an electorate that was not accustomed

⁴⁵ BRASIL: Law n° 10.826, December 22, 2003.

to direct forms of democracy. And if this was not enough, the result of the referendum contravened all polls and surveys, which granted disarmament advocates an easy triumph.

The case drew the attention of political scientists for obvious reasons, in what constitutes another regional exceptionality. Scholars have studied the prominent role played by religious communities (Cesar Conrado, 2006) and non-governmental organizations (Ballestrin, 2010; Lucas, 2008) in the agenda-setting process, the legislative discussions of the Disarmament Statute (dos Santos, 2007) and the influence of Lula's administration in the legislative agenda (Inácio, 2006). Moreover, authors have tried to explain why Brazilian legislators delegated their decision-making powers to the electorate in the first place (Correa and Nunes, 2006; Magalhães Araújo and Santana, 2006), as well as the influence of written media (Fuks and Novais, 2006), social networks (Sorj, 2006), communication campaigns (Lissofsky, 2006) and public propaganda (Vital da Cunha, 2006) in the referendum campaign, and the overall reasons behind its surprising result (ISER, 2006; Mota, 2006).

Thus, the policy process received considerable attention and some of its dimensions have been thoroughly analyzed, especially those concerning the referendum. Nonetheless, let us remember that our empirical objective is to explain why and how these policy dynamics occurred, an endeavor that the literature has not attempted so far, let alone from a public policy perspective. For that matter, the different aspects that have been studied will help us put the pieces of the puzzle together for an overall explanation of the Statute's policy formation.

This chapter will be structured as follows. The first section will present a general overview of Brazil, placing special emphasis on those characteristics that are most relevant for our case study. The second section will present a historical overview of the country's firearm legislation and a discussion on the impact of the Disarmament Statute. Following is the empirical analysis, which will follow the structure of our theoretical framework, the Multiple Streams Framework (Kingdon, 1995) with modifications proposed by Knaggård (2015, 2016), Zahariadis (2003, 2005), Herweg et al. (2015) and Zohlnhöfer et al. (2016). In consequence, each variable of each stream will have its own section, as well as the agenda- and decision-coupling processes. The chapter ends with a summary and conclusions.

5.1 Brazil: Brief overview and public safety situation

With an estimated population of 207 million inhabitants, the Federative Republic of Brazil covers 47.3 percent of South America's land area and borders all other countries except for Ecuador and Chile. It is the largest and most populous country in Latin America, as well as the world's fifth-largest country by both area and population. It is also the only Portuguese-speaking country in the region, which does not prevent its condition as a regional power. Its influence is not the result

of its size and population, but rather of its economy: in 2003, Brazil had the second largest GDP in the region –only surpassed by Mexico- and the eleventh-largest in the world (World Bank, 2017). At the global stage, however, the Latin American giant was -and still is- rather considered a middle power, not being able to overcome its permanent condition of emerging star.

Brazil was a colony of Portugal from the year 1500 onwards. It gained its independence in 1822 and became a republic in 1889. The first Brazilian constitution dates back to 1824, which established the formation of its bicameral legislature. Known as the National Congress, it is comprised by the Chamber of Deputies and the Federal Senate. Slavery was abolished in 1888 and the presidential system was established in 1889, per which the president is both head of state and head of government. As with other countries in the region, Brazil's political history is marked by several military interruptions of the democratic process. The last one, ruling the country between 1964 and 1985. It is currently in its longest period of democracy, going on for 32 years. The reinstatement of civilian governance led to the formulation of its current constitution in 1988, which defines Brazil as a democratic federal republic.

In accordance, the Brazilian political system is composed by three levels of government. The federation –itself a federative unit- is the union of the Federal District, the states and the municipalities. The Federal District is home to the country's capital -Brasilia- and to the three branches of the federal government. There are also 26 states, which are semi-independent and self-governing entities with their own administrative branches, a governor and an elected legislature. The number of municipalities rises to more than 5.500, the amount of which varies from state to state. Due to the weather and to the immigration history, the country is also divided in five distinguishable regions: North, Northeast, Center-West, Southeast and South. These are also representative of a largely multiethnic society, with 43,8 percent of the population self-classifying their race or skin color as brown, 6,8 percent as black and 0,6 percent as indigenous (IBGE, 2017).

In the past 50 years, Brazil has undergone major political, economic, demographic and social changes. Some areas have experienced major improvements. For instance, between 1975 and 2003, infant mortality decreased from 115 to 25,4 (per 1000 live births), whereas life expectancy increased from 52 to 73 years (Paim et al., 2011; World Bank, 2017). The access to education also increased substantially, with the proportion of Brazilians with seven or more years of formal education increasing from 19 to 47 percent between 1976 and 2008 (Paim et al., 2011). Nonetheless, the country's Human Development Index⁴⁶ ranked Brazil in place 77th in 2005 (UNDP, 2015), which implies that Brazil still had considerable challenges in order to meet its society's needs for education, health care and quality of life. Moreover, its society remains

⁴⁶ The Human Development Index is a summary measure of average achievement in key dimensions of human development: a long and healthy life, being knowledgeable and have a decent standard of living (UNDP, 2015).

characterized by mass poverty and vertiginous social disparities. Brazil does not have a low GDP, but its 2003 GINI Index (58.0) was the 3rd highest on record worldwide. In consequence, the poorest fifth of the population shared only 2,6 percent of the nation's income, while 24,9 percent of the population was under the national poverty line and 12,7 percent received less than USD 1,90 a day (World Bank, 2017).

Although there is not always a correlation, mass poverty and high inequality often contribute to social violence (PNUD, 2013) and Brazil seems to be a case in point. Violence and criminality grew steadily between the 1970s and 2004 in what is one of the great paradoxes of the Brazilian transition: “the end of [the] authoritarian rule and the restoration of democracy did little to diminish the problems of violence, arbitrariness and insecurity within society” (Koonings, 1999: 224). Quite on the contrary, the democratization process initiated in 1978 was accompanied by a spectacular increase in criminal and social violence (Adorno and Dias, 2014; Murray et al., 2013; Soares, 2007; Waiselfisz, 2015b; Zaluar, 2007). Thus, while the country's population rose by 65 percent between 1980 and 2014, homicides more than quadrupled during the same period (Waiselfisz, 2015b: 21) and the country's prison population grew faster than in any other American country (Murray et al., 2013: 472). In fact, Brazil had more than 600.000 prisoners in 2014, conforming the fourth largest prison population in the world (FBSP, 2015; Walmsley, 2016).

Is it thus no surprise that most Brazilians experience a relentless perception of fear and insecurity regarding public safety (Koonings, 1999: 224–229). And while this perception includes a subjective dimension, the risk of victimization is real. Most rates of crime and violence are high, with homicides as the worst side of the public security crisis. The most recent statistics are from 2014, when Brazilians suffered 26,3 homicides per every 100 thousand inhabitants⁴⁷, which implies a yearly death toll of more than 53.000 people (FBSP, 2015). This supposes the seventh highest homicide rate in Latin America, while its absolute numbers are the highest in the world.

Moreover, the vast majority of victims are young men. Indeed, 94,4 percent of all homicide victims are male, a percentage that does not go underneath 91 percent in any state. Likewise, young people, between 15 and 29 years old, represent 26 percent of the total population, but embody 58 percent of all victims of homicide committed with firearms. If we add firearm suicides and accidents, then almost 45.000 people lost their lives to firearms in 2014 (Waiselfisz, 2015b). To get a better picture of the situation, this number is higher than the casualties in many contemporary armed conflicts, such as the Gulf War (1990-1991) or the Second Chechen War

⁴⁷ Brazilian homicide rates vary substantially between states and regions. In 2014, rates ranged from 10,3 homicides per every 100 thousand inhabitants in São Paulo to 61,9 in Alagoas (FBSP, 2015).

(1999-2000). It also implies the loss of 123 lives to firearms per day, more than the victims of the 2016 Islamic terrorist attack in Nice, France.

Finally, it should not be forgotten that homicides are not the only kind of violence, but only its most extreme form. Brazilian crime and violence is much bigger and profound, even if reliable statistics on non-lethal crimes are almost impossible to find. Victimization surveys give a hint of how extent the problem is. For instance, surveys from 2001 suggest that 9,8 percent of Brazilians had been victims of robbery and theft, while intimate partner violence affected one in three Brazilian women (World Bank, 2006). Likewise, the social and economic costs of crime and violence are a heavy burden for the country's economy. According to a recent comparative study by the Inter-American Development Bank (IDB), Brazil presents some of the highest nominal costs of crime in the region. In 2014, direct costs of violence supposed an average of USD 75.894 million for Brazilians, which amounts to 3,14 percent of the country's GDP. This –rather conservative- sum is equivalent to 53 percent of the total costs of violence in Latin America, as well as to 78 percent of the total costs of the Southern Cone of South America (Capriolo et al., 2017).

5.2 Historical overview of Brazil's firearm legislation

The Brazilian firearm legislation was born over 80 years ago with the specific objective of guaranteeing national security from external threats. This would be accomplished by promoting the growth and strength of the national weapons industry and achieving self-sufficient war power. This conception of national security -which largely ignored individual security and the basic postulates of public security- was reinforced during the authoritarian military dictatorship that ruled the country from 1964 to 1985. Only afterwards, with the democratization process and the rise in violence, would public security and the regulation of the weapons industry become real objectives for an organized civil society that ventured into areas that were once restricted to the military apparatus (Iooty Dias, 2005: 37). The historical priorities that conformed such an understanding partially explain why Brazil is one of the only few countries that has a large and thriving small arms industry and is simultaneously plagued by widespread armed violence (Dreyfus et al., 2010: 30).

The first legislation concerning firearms in Brazil goes back to 1934. The Presidential Decree n° 24.602/1934⁴⁸ of Getúlio Vargas was a fairly simple document that prohibited the production and marketing of military weapons and ammunitions by private enterprises that were not authorized by the Ministry of War. The production and marketing of hunting weapons and ammunition was allowed, whereas the civilian use of weapons was not mentioned. A regulation of civilian firearms

⁴⁸ Cf.: BRASIL: Presidential Decree n° 24.602/1934, July 06, 1934.

would not appear until the beginning of the military dictatorship in 1965. Unlike the former, the Decree n° 55.649⁴⁹ conformed an actual encyclopedia of products that should be audited. Firearms, ammunition, powder, explosives, and further elements were regulated for the benefit of the national weapons industry and as a way to consolidate the controlling powers of the Ministry of War. The explicit goal of the Decree was the promotion and development of a national weapons industry that could act as the guarantor of national security⁵⁰. Therefore, the use of firearms by civilians was not addressed, whereas the registration of weapons and users was only marginally dealt with⁵¹.

The civilian use of firearms would be prioritized in the following piece of legislation. The Ministerial Order n° 1.261 of 1980⁵² was the first regulation specifically regarding the acquisition and registry of civilian firearms. It was not a Law nor Decree, but it addressed the specific procedures that a civilian needed to follow to acquire firearms. Citizens had to be 21 years of age, have a defined profession and present a public statement of not having a criminal record or an inadequate political and social conduct. The Order also required users and arms dealers to register their weapons with the local police. However, it did not consider any communication system among local police agencies or with the federal authorities. This situation, added to a historical lack of horizontal (state to state) and vertical (state to federal government) police cooperation, made it impossible to track the movement of imported and manufactured small arms (Dreyfus and Rangel Bandeira, 2006: 9). The result was a rather disperse and decentralized registry (Iootty Dias, 2005: 48).

The Ministerial Order n° 1.261/1980 remained in force after the end of the dictatorship, but the upsurge in criminal violence during the 1990s and the transition to democracy demonstrated the need for stricter firearm control laws. The national firearm mortality rate tripled since the beginning of the 1980s and the end of the 90s (Phebo, 2005: 19), with the outburst of criminal violence being especially notorious in the country's major cities. Additionally, the democratic Federal Constitution of 1988⁵³ required a power shift from the Armed Forces to civil society, as well as a more pronounced participation of non-military institutions in the fight against crime and insecurity (Iootty Dias, 2005: 51; Pekny et al., 2015: 6).

The Law n° 9.437⁵⁴ of 1997 represented a major turning point in this sense. Regulated by the Decree 2.222/1997⁵⁵, the new law introduced a National Arms System (SINARM, for its Portuguese initials) that centralized all information regarding civilian firearms at the federal

⁴⁹ BRASIL: Decree n° 55.649/1965, January 28, 1965.

⁵⁰ Ib.: Art. 10-d.

⁵¹ Ib.: Art. 229.

⁵² BRASIL: Ministerial Order n° 1.261/1980, October 17, 1980.

⁵³ BRASIL: Brazilian Federal Constitution of 1988.

⁵⁴ BRASIL: Law n° 9.437/1997, February 20, 1997.

⁵⁵ BRASIL: Decree n° 2.222/1997.

level⁵⁶. A key element was that the SINARM would be managed by the Federal Police –which is under the jurisdiction of the Ministry of Justice-, thus breaking with the exclusive historical prerogative of the military on the matter. Most competencies were still in the hands of the Army: Policemen, judges, collectors, hunters and marksmen would still have their particular firearms authorized by the Army. Likewise, the importation, exportation and production of small arms and ammunition –the so-called Regulation for Controlled Products- maintained the directives of the Decree n° 55.649 of 1965. Nonetheless, the introduction of a federal registry made the so-called ‘SINARM Law’ the first piece of legislation that conferred civilian institutions with competencies to regulate firearms and ammunition. Furthermore, civilians wanting a firearm would have to require authorization from their corresponding state police, which would refer to the federal police in charge of the SINARM. The Law also criminalized the unauthorized carry of firearms, which until that point only entailed a contravention of the Penal Code⁵⁷. Finally, it introduced the requirement by the Federal Police to verify an ‘effective necessity’ for civilians wanting an authorization to carry firearms outside their residence⁵⁸.

Despite the progress, advocates of a more rigorous legislation were not satisfied with the SINARM Law and continued pressing for change. Consequently, the Regulation for Controlled Products would be reedited twice before the end of the decade, first in 1999⁵⁹ and once again in 2000⁶⁰. Far more important were the approval of state legislations in the Federal District of Brasilia⁶¹ and Rio de Janeiro⁶² in 1999 that prohibited the sale of firearms to civilians altogether. Because firearm control fell under federal jurisdiction, the Supreme Court declared these state legislations unconstitutional soon after, but they set a legal precedent for what was yet to come.

In the following years, a dozen bills would try to implement a more rigorous firearm control legislation without success. The Bill 292⁶³ of 1999 also failed in its intent, but was the basis for the Bill 1555 of 2003⁶⁴, which turned into the Law n° 10.826⁶⁵, approved by the Brazilian Congress on December 9, 2003. The so-called ‘Disarmament Statute’ was signed by President Lula on December 22, 2003, and regulated by the Decree n° 5.123⁶⁶ on July 1st, 2004, becoming the most comprehensive firearm control policy in Brazilian national history.

⁵⁶ BRASIL: Law n° 9.437/1997: Ch. 1.

⁵⁷ *Ib.*: Art. 10.

⁵⁸ *Ib.*: Art. 7.

⁵⁹ BRASIL: Decree n° 2.998/1999, March 23, 1999.

⁶⁰ BRASIL: Decree n° 3665/2000, November 20, 2000.

⁶¹ BRASIL: Law n° 2375/1999 (DF), May 13, 1999.

⁶² BRASIL: Law n° 3219/1999 (RJ), June 04, 1999.

⁶³ BRASIL: Bill n° 292/1999, May 04, 1999.

⁶⁴ BRASIL: Bill n° 1555/2003, July 24, 2003.

⁶⁵ BRASIL: Law n° 10.826, December 22, 2003.

⁶⁶ BRASIL: Decree n° 5.123/2004, July 01, 2004.

According to the Statute, the registry and control of restricted firearms still corresponds to the Army⁶⁷, but everything related to the civilian use of firearms or ammunition comes to be within the legal and administrative field of the Ministry of Justice.⁶⁸ The Federal Police becomes responsible for registering permitted firearms and controlling their domestic sale to civilians, whereby states lose their prerogative to register small arms and grant carry licenses. Furthermore, the Federal Police is tasked with centralizing all information regarding seized, registered, produced, exported and imported small arms in a single database⁶⁹, which must be connected to military databases through an encrypted online system. By interlinking the Military Weapons Management System (SIGMA, for its Portuguese initials) with the SINARM, the Federal Police can access all information regarding military weapons. In consequence, the Disarmament Statute grants the Federal Police –and the Ministry of Justice- access to every firearm database in the country.

Moreover, the Statute aggravates all penalties for firearm crimes and creates a whole new range of crime definitions related to the use of firearms⁷⁰. This includes the irregular possession of permitted firearms, the omission of arms holders of preventing accidents or access by children and mentally disabled people to their firearms, the illegal carry of permitted firearms, the possession or carry of restricted firearms, the shooting of firearms in populated areas, and international firearm trafficking, illicit trade, stockpiling and manufacturing. The identification and criminalization of international firearm traffic supposed an eagerly awaited novelty, since until then it was an illegal activity that did not suppose a crime in itself. Not in Brazil, nor in the MERCOSUR, where the illegal trade of firearms carried the same penalties as the illegal trade of any other good.

Concerning civilian possession, the Statute adheres to the objectives of discouraging possession and reducing the availability of small arms among civilians. Accordingly, it makes the access to firearms more difficult, while enhancing control over their circulation, trade and use. To buy a firearm, individuals must be over 25 years of age and not have a criminal record, prove regular licit income and employment, present a residence certificate, prove technical capability to manipulate firearms and store them in safe conditions, as well as pass a medical and psychological exam. Applicants must also declare effective necessity, which leaves room for a discretionary decision by the police officer in charge.⁷¹ All these requirements must be verified every three years, along with the payment of a corresponding tax.

⁶⁷ BRASIL: Law n° 10.826: Art. 3.

⁶⁸ Ib.: Art. 2.

⁶⁹ Ib.: Art. 1, 2, 4, 5 and 10.

⁷⁰ Ib.: Art. 12 – 21.

⁷¹ Ib.: Art. 4.; BRASIL: Decree n° 5.123/2004.

Whereas the civilian possession of firearms is still allowed, carrying firearms turns forbidden for civilians throughout the country, with very few exceptions. Registered firearms must always be inside the owner's residence or place of work, and their illicit carrying is punished with imprisonment of two to four years.⁷²

An avant-garde element of the Statute is its emphasis on the control of ammunition. Its sale to civilians is only allowed in registered gun shops and in cases of cartridges with barcodes that identify the producer and seller.⁷³ In the case of ammunition sold to the Army or to local and federal security forces, every case of cartridges and every bullet should be marked with a lot number that identifies the producer and the receiving agency and unit.⁷⁴ Such packing and marking requirements are also mandatory for imported ammunition. These measures should help the police trace firearms used in crime and identify patterns of leakages of ammunition from security forces to organized crime.

The Statute also enabled a national buyback program for the voluntary collection of small arms, which was coincident in time with a six months long (then extended to 18 months) amnesty for the registration of non-registered firearms. During that time, approximately 460 thousand small arms were collected, which implies a rate of 2,5 firearms per every thousand inhabitants (Fleitas, 2010: 27–33). Since the amnesty is over, illegal owners are subject to penalties established in the law for illegal possession, which can include imprisonment of one to three years.⁷⁵

Finally, the Statute's most controversial issue by far was related to the legislator's desire to implement a comprehensive ban on the sale of firearms to civilians throughout the country. The unprecedented measure was subject to heated debate in the Brazilian National Congress (Magalhães Araújo and Santana, 2006). To overcome the controversy, the Art. 35 of the Law arranged the organization of a nationwide popular referendum in July 2005, consisting of the following question: "Should the trade of firearms and ammunition be prohibited in Brazil?" The referendum campaign caused great expectation and was heavily disputed, confronting politicians and the electorate in favor and against the prohibition (Inácio et al., 2006; ISER, 2006).

Eventually, the first and only referendum held in Brazil since the transition to democracy in 1988 was held on October 23, 2005. With a similar abstention rate to that from the previous presidential election, over 95 million voters surprisingly decided not to authorize the ban on the sale of firearms to civilians. Of the registered votes, 63,94 percent were against the prohibition. In consequence, the Disarmament Statute was held in place except for Art. 35 (Inácio et al., 2006; ISER, 2006; Lourenço, 2015; Magalhães Araújo and Santana, 2006). Despite the importance of

⁷² BRASIL - Law nº 10,826/2003: Art. 6.

⁷³ *Ib.*: Art. 23.

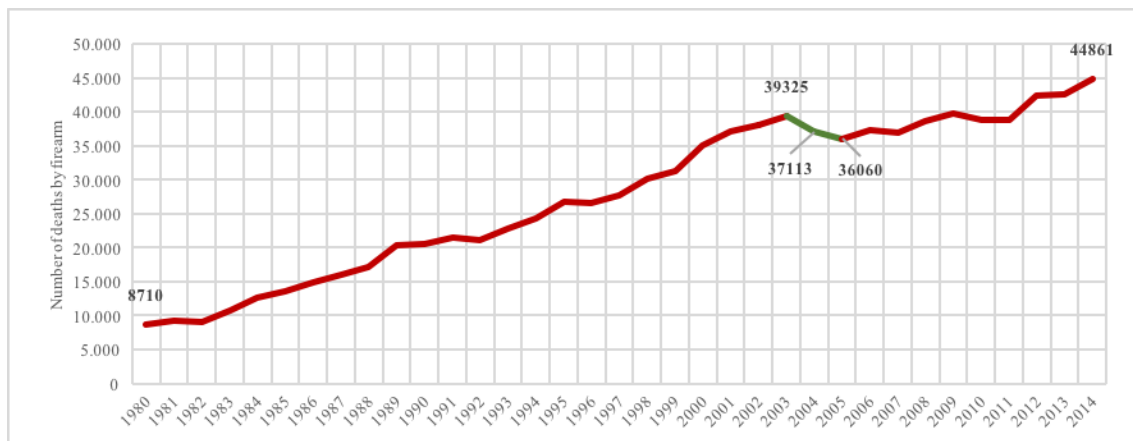
⁷⁴ *Ib.*: Art. 23.

⁷⁵ *Ib.*: Art. 32; BRASIL: Decree nº 5.123/2004: Art. 70.

the remaining contents of the Law, the result of the referendum was a resounding defeat for its supporters: Lula's executive, NGOs and social movements (Anastasia et al., 2006).

The impact of the Statute is heavily contested. On the one hand, there is practically a consensus in the Brazilian scientific community regarding its positive impact. Indeed, dozens of scientific studies argue that the law had a powerful impact on firearm deaths and homicides, and that it has saved tens of thousands of lives since its approval (e.g.: BRASIL - MS/SVS, n.d.; Fleitas, 2010; Godnick, 2010; Otamendi, 2011; Waiselfisz, 2005, 2015b; Wilson, 2014). Their argument is based on the evolution of firearm mortality numbers (*Figure 8*): Between 1993 and 2003, the absolute number of firearm deaths⁷⁶ in Brazil increased at a constant and rapid pace, at an average of 5,5 percent per year. The first reversal of the historic trend since 1993 occurs after the implementation of the Disarmament Statute. From a historical maximum of 39,3 thousand firearm deaths in 2003, the number dropped to 37,1 thousand in 2004 and then to 36.1 thousand in 2005. From then on, annual firearm deaths stayed relatively stable until 2012, when they began growing again at a faster pace (Waiselfisz, 2015b).

Figure 8: Firearm mortality in Brazil, 1980-2014



Source: Own elaboration using data from Waiselfisz (2015b).

* The 'deaths by firearm' indicator includes deaths as a result of firearm violence. This includes firearm accidents, firearm homicides and firearm suicides, as well as undetermined circumstances.

**Data for 2014 are preliminary.

Not everyone agrees with these findings, however. Most evaluations of the Statute's impact rely on data gathered by the Brazilian Health Ministry and Health Surveillance Secretariat, and the law's opponents show doubts regarding their reliability since the law's implementation (Quintela and Barbosa, 2015: 15). Moreover, the reported improvement in the national statistics as a whole hides the fact that not every region experienced temporary reversals after the approval and

⁷⁶ The 'firearm death' indicator includes deaths as a result of firearm violence. This includes firearm accidents, firearm homicides and firearm suicides, as well as undetermined circumstances (Waiselfisz, 2015).

implementation of the Statute. In fact, the Federal District and eleven Federal States (out of twenty-six) reduced their firearm deaths between 2003 and 2005, while the rest stayed unchanged or continued the former positive trend. More importantly, the state of São Paulo is largely responsible for the overall improvement, because it accounted for about 25 percent of the nationally reported firearm deaths and experienced a reduction of 3,7 thousand homicides during that period (Waiselfisz, 2015a, 2015b). Thus, it appears that the Disarmament Statute emphasized a sharp drop in homicides that started a year before its approval, partly as a result of the modernization of São Paulo's police forces. In consequence, we believe that the most important factor does not seem to be the passing of national legislation, but the vigor with which the legislation was enforced on a state level (Goertzel and Kahn, 2009: 405) and how it was supplemented by other security policies.

Due to this controversy, both the political forces and the public opinion are as divided as ever on the issue. In fact, the Disarmament Statute has been called into question by dozens of bills since its enactment. It has been challenged as unconstitutional more than once and various initiatives were successful at loosening some of the firearm and ammunition control measures that the Statute established (cf.: Pekny et al., 2015: 14–16). Moreover, the law is currently facing its most critical challenge. The Bill 3.722⁷⁷ of 2012, known as the 'Firearm control Statute', proposes its complete revocation and a significant relaxation of the firearm control measures currently in place. The Bill was approved by a special commission created in the Chamber of Deputies on October 27, 2015 (Lourenço, 2015). It was ready to be put to vote on the plenary, but its parliamentary process was interrupted when impeachment proceedings against President Dilma Rousseff were officially accepted by the Chamber of Deputies on December of that year. As of December 2016, its parliamentary process has not yet been resumed.

5.3 Empirical analysis

The goal of this analysis is to use an extended version of the Multiple Streams Framework (MSF) to explain how the firearm control issue entered the agenda of Brazil in the 1990s, as well as how the policy changes that followed occurred. For that matter, we will apply the MSF to a time-frame that comprises the introduction of firearm control-related bills in the National Congress, the approval of the Disarmament Statute and the realization of the referendum. That is, from the beginning of the 1990s until 2005, during the presidencies of Fernando Henrique Cardoso (FHC, 1995-2003) and the first years of Luiz Inácio Lula da Silva's (Lula, 2003-2010) first term.

⁷⁷ BRASIL: Bill nº 3.722/2012, April 19, 2012.

5.3.1 The problem stream: The deadliest country the world

The MSF's original problem stream is composed of problem indicators, feedbacks from the policy in place and focusing events (Kingdon, 1995). We also want to consider the additional variables 'problem load', which is the number of difficult problems occupying the attention of policy makers (Baumgartner et al., 2011: 953; Zahariadis, 2003: 154), and 'knowledge-brokers', which are actors that frame conditions as public problems and work for their recognition (Knaggård, 2015, 2016).

Indicators

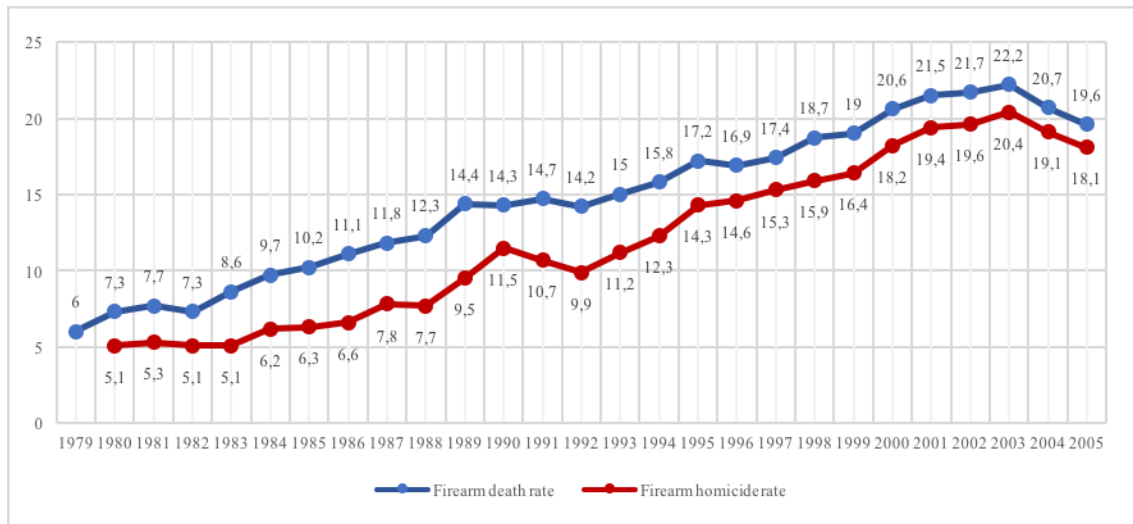
Since the 1990s, Brazil is affected by a brutal epidemic of violence, particularly cruel to young men with low levels of education (Adorno and Dias, 2014; Murray et al., 2013; Soares, 2007; Waiselfisz, 2015b; Zaluar, 2007). Among the many visible dimensions of the problem, firearm deaths and firearm homicides are the ones that draw the most attention to the risks posed by gun proliferation.

Brazil is an extreme case, for that matter. Despite not having any widespread violent conflict in its recent history, firearm violence increased steadily between the 1970s and 2004, causing the loss of more than half a million people (Waiselfisz, 2005: 11). Gun deaths tripled between 1980 and 2003, going from 7,3 to 22,2 deaths per every 100 thousand inhabitants (*Figure 9*). In 2003 alone, the year the Disarmament Statute was approved, more than 36 thousand people lost their lives to firearms nationwide. Brazil was the deadliest country in the world that year, while its rate of firearm mortality was only surpassed by Venezuela's (Waiselfisz, 2005: 70). Gun deaths became the third main cause of death for the general population, well beyond other known causes such as road traffic accidents (32.753) (Phebo, 2005: 17) or HIV/AIDS (11.276) (Waiselfisz, 2005: 16).

The former growth is largely a consequence of the increase in firearm homicides, which in 2003 accounted for 91,8 percent of all deaths by firearms (*Figure 9*). Back in 1980, guns were the instrument of choice in only 43,9 percent of all homicides. But by 2003, that percentage had grown to 70,8 percent (Peres, 2004; Waiselfisz, 2015a, 2015b). Largely responsible for this increase was the appearance of organized crime and drug trafficking groups in the country's megacities during the 1980s. The most famous Brazilian cartels are *Comando Vermelho* (Red Commando) of Rio de Janeiro and *Primeiro Comando da Capital* (First Commando of the Capital) of São Paulo. Formed in Brazilian prisons, these drug trafficking groups quickly proliferated and began fighting against each other for the control of the business (Adorno and Salla, 2007). Their aggressiveness and preference for guns resulted in a 592,8 percent increase in

firearm homicides between 1980 and 2014, as well as the loss of approximately 830 thousand lives (Waiselfisz, 2015b).

Figure 9: Firearm death rates and firearm homicide rates, 1979-2004.



Source: Own elaboration using data from Waiselfisz (2015a: 23).

* Rates per every 100 thousand inhabitants.

**Firearm deaths are all deaths as a result of firearm violence. This includes firearm accidents, firearm homicides and firearm suicides, as well as undetermined circumstances (Waiselfisz, 2015a).

Furthermore, data on criminality was very rudimentary in Brazil until the 1990s (Adorno and Salla, 2007: 13) and this included statistics regarding the use and impact of firearms. Nonetheless, the rampant use of firearms in homicides and other crimes established the general intuition that guns were largely outside the control of the state, that their diversion to the illegal market was constant, that its internal and international traffic was lucrative and widespread, and that the Brazilian firearms industry was virtually unregulated (Dreyfus et al., 2003: 35). This scenario was largely confirmed at the end of the decade in different episodes. First, in 1999, after the State Government of Rio de Janeiro provided researchers with access to classified information regarding hundreds of thousands of seized weapons (Rivero, 2005). Then again in 2004, when a Parliamentary Commission of Inquiry forced weapon manufacturers and public security forces to deliver classified material regarding firearm production, sales, imports, exports, registries and seizures (Dreyfus and Marsh, 2006).

This information allowed researchers to estimate that there were approximately 15,3 million private firearms in Brazil, half of which -approximately 8,5 million firearms- would be illicit, either criminal or informal, and thus more likely to be used in criminal activities (Dreyfus and de Sousa Nascimento, 2005, 2010). Studies also found that among firearms used in crime in Rio de Janeiro, over 75 percent of them were Brazilian made and half had been previously registered by 'good citizens' (Rivero, 2005). These types of studies were unprecedented both in Brazil and in

Latin America, causing a political stir and sustaining the arguments that firearm control advocates had been denouncing for years.

Policy feedback

Disarmament advocates were logically displeased with the SINARM-Law, since it did not have the reduction of civilian firearms among its objectives. Furthermore, despite the Law's major advancements, it left many firearm control advocates unsatisfied. Most problems derived from the difficulty of centralizing firearm data in a federal country of continental proportions and 170 million inhabitants, where many different agencies must work together. Two aspects were especially troublesome (Dreyfus et al., 2003: 36–37; Dreyfus and Marsh, 2006: 18; Dreyfus and Rangel Bandeira, 2006: 9–10; Iootty Dias, 2005).

First, SINARM was supposed to create a digital national database of all registered and seized firearms in the country. But technical deficiencies, scarce resources and political rivalries between local and federal police agencies hampered its proper functioning. Hence, the digitalization of local registries proved slow and deficient, while the notification of registered and seized firearms was random and inconsistent. When the Disarmament Statute was approved in 2003, SINARM was largely incomplete.

To make matters worse, the former Law established the compartmentalization of information and control mechanisms between the Army and the Federal Police. Firearm control advocates believed that all information should be in the hands of the Police, but the problem was more severe. The Army controlled the production, import, export, and wholesale of all firearms and ammunition, and was also in charge of keeping record of Army and local police stockpiles, as well as of the registration of firearms when these belonged to collectors, hunters, sport shooters and members of the Armed Forces. The Federal Police, on the other hand, used SINARM to centralize all information regarding seized firearms and those owned by civilians. The SINARM-Law required the establishment of an inter-agency protocol between the Ministry of Justice and the Ministry of Defense, so that both institutions would communicate and exchange information. This protocol was never implemented, however. Both institutions remained isolated and the police was not able to access the Army's registries.

Focusing events

Due to the widespread climate of everyday violence in Brazil, crimes and acts of violence must be especially striking to draw the media's attention for more than a couple of days. Various authors mention a number of dreadful episodes that drew international attention to Brazil's armed

violence problem during the 1990s and beginning of the 2000s. Foremost among these were the massacres of Carandiru⁷⁸ (1992), Candelária⁷⁹ (1993) and Vigário Geral⁸⁰ (1993) (Ballestrin, 2010: 187), as well as the execution of journalist Tim Lopes⁸¹ (2002) (Cukier and Sidel, 2006: 13) and the Bus 174 hostage crisis⁸² (2002). These events had a strong impact on public opinion and on national and international media, partly because they involved police brutality and depicted the Brazilian security forces' disregard for human rights. They also motivated the foundation of various NGOs that specialized in violence reduction, the most prominent of which is *Viva Rio* (Dreyfus et al., 2003: 29).

Nonetheless, it is unclear to what extent these episodes drew specific attention to the firearm control issue and not just to urban violence altogether. Despite their importance, most interviewees seem to agree with Fonseca et al. (2006: 31), when they argue that “it was not specific tragedies that mobilized society, but the acknowledgement that the country lives a permanent civil war” (Translated from Portuguese⁸³). Ironically, the killings and hostage crises reminded Brazilians of the everyday extreme violence to which they had become accustomed.

Problem load

Considering the number of difficult problems occupying the attention of policy makers (Baumgartner et al., 2011: 953; Zahariadis, 2003: 154) is a tricky endeavor, since only they know what their priorities are at any given moment. To operationalize this concept, we resort to the classical ‘most important problem’ question and to those issues that were identified as the most

⁷⁸ The Carandiru massacre took place in the Carandiru Penitentiary in São Paulo, on October 2, 1992. Following a prison riot, military police forces stormed in the penitentiary and killed 111 prisoners. The episode is considered one of the worst human rights violation in the history of Brazil.

⁷⁹ The Candelária massacre occurred beside the Candelária Church in Rio de Janeiro, on the night of July 23, 1993. The massacre took place when a group of men, many of which were members of the military police, opened fire on a group of seventy street children who were sleeping beside the Candelária, killing eight adolescents and injuring several others. Around fifty policemen were accused for the killings, but only two of them were convicted. One of the survivors, Sandro Rosa do Nascimento, would years later become the perpetrator of the Bus 174 hostage crisis.

⁸⁰ The Vigário Geral Massacre (*Chacina de Vigário Geral*, in Portuguese) occurred on August 29, 1993, at a favela of Rio de Janeiro called Vigário Geral. That day, a group of men from Rio's Military Police entered the favela and spent various hours shooting at residents, supposedly out of revenge for the killing of four police officers two days before. 21 innocent people were murdered, including eight members of a family and a 15-year-old girl. Charges were brought against dozens of policemen, but only a couple were actually sent to prison.

⁸¹ Tim Lopes was an award-winning journalist of the Globo Network, who was executed by drug-traffickers in a favela of Rio de Janeiro in 2002, as he was covering a story on organized crime. The case caused a commotion among journalists, drew international attention and sparked off an exceptional response by the President FHC and the state government.

⁸² The Bus 174 hostage crisis took place in the *Jardim Botânico* neighborhood of Rio de Janeiro, on June 12, 2000. On that day, Sandro Rosa do Nascimento, a former street child and survivor of the Candelária massacre, boarded a public bus and tried to rob the passengers. The incident quickly developed into a hostage situation, which lasted four hours and was broadcasted live by Brazilian national television. The episode ended with a physical struggle between Nascimento and the police, during which a hostage -that the perpetrator was using as a human shield- was shot dead. Nascimento was placed in a police vehicle and died of asphyxiation as he was taken into custody. The accompanying officers were charged with murder, but were found innocent after the trial. Several films were made depicting the events of the crisis.

⁸³ “[...] não foram tragédias específicas que mobilizaram a sociedade e sim a constatação de que se vive no país uma guerra civil permanente” (Fonseca et al., 2006: 31).

relevant for voters in the face of presidential elections. Both elements were frequently considered by state and national public opinion surveys.

In this regard, the public demand for stricter firearm control began in São Paulo, and it was also there where a first public opinion poll showed in 1997 that violence and insecurity were the most pressing problems for its residents (Dreyfus et al., 2003: 32), a novelty that would also reveal local surveys from 2001 and 2003 (Datafolha, 2001, 2003). This preoccupation also grew at the national level, although with a certain delay. It was before the 1998 presidential elections when violence and insecurity first entered the podium and became the third major problem for Brazilians, only surpassed by health (2nd) and unemployment (1st). Worries over crime and violence would continue rising and reach the second position before the presidential elections of 2002, when only unemployment seemed to be more pressing (Datafolha, 2002; Sousa Braga et al., 2016: 96). After that, violence and insecurity dropped again to a close third place in 2006, a year in which corruption became the most important element for voters facing the coming elections (Sousa Braga et al., 2016: 96–99).

As these results show, the security crisis was not the only difficult problem competing for the policy makers' attention during those years. Regarding our policy process, two additional problems were especially significant. The first was the drop in the value of the Brazilian real in 1999, which was caused by the 1997 Asian financial crisis and produced a nearly 35% drop in the value of the Brazilian currency. FHC's government (1995-2003) responded by increasing interest rates and instituting spending cuts and tax increases to maintain the value of its currency. This measure failed, however, and led to the adoption of a tough austerity program in order to receive a 41.5 billion US-dollar aid package from the International Monetary Fund (IMF) and other international lenders. The crisis started in 1998 and the Brazilian economy only started to recover in 2000 (Evangelist and Sathe, 2006). Lula's government largely continued the economic path of his predecessor during its first Presidential term (2003-2006), but with a much more favorable environment. Because of this crisis, unemployment doubled between 1997 and 1999 and quickly became the most urgent social matter. It would largely remain this way until after 2005 (World Bank, 2017).

A second relevant problem was the so-called '*mensalão* scandal', a vote-buying case of corruption that almost ruined the ruling party –the *Partido dos Trabalhadores* (PT)– in 2005. The scandal broke on June 6, 2005, when it became public that the PT and other parties had paid around 12 thousand US-dollars per month –the money coming from public companies– to several Congressional deputies for them to vote for the party's favored legislations. The scandal had a profound impact on public opinion, with polls showing that the assessment of the Government as good/excellent was reduced by 10 percent within a month (Inácio, 2006: 55). Advisors from Lula and several deputies resigned, but the President himself managed to stay afloat. While he was

able to be re-elected in 2006, this scandal ended up being decisive for the loss of the Disarmament Statute's referendum in 2005.

Knowledge-brokers

Knaggård (2015, 2016) defines 'knowledge-brokers' as actor that frame conditions as political problems, without necessarily having the intention of coupling them to specific policy alternatives.

As thoroughly discussed in *chapter 3.2*, the process by which firearms are defined as a problem is part of an international effort to securitize (Buzan et al., 1998) small arms. That is, to place small arms and light weapons on the international agenda by imposing a narrative that defines them as a humanitarian issue and associates them with elevated levels of armed violence. This process was successfully carried out by the small arms movement (SAM) during the 1990s and beginning of the 2000s (Cooper, 2011; Cukier and Sidel, 2006: 9; Grillot et al., 2006; Hill, 2006). Latin American members played an important role in this process as well, with securitization agents mostly being civil society organizations and states suffering from high levels of armed violence (Álvarez Velasco, 2016; DerGhoughassian, 2011). Brazilian researchers and activists were heavily involved since the beginning, mainly organized in social movements, non-governmental organizations (NGOs) and research institutes (Ballestrin, 2010; Canabarro, 2009; Cukier and Sidel, 2006: 219).

Their engagement in the gun-problematic can be traced back to the end of the military dictatorship, which brought the opening and democratization of certain policy areas in which the participation of civil society had always been avoided. This was particularly the case in matters such as poverty, health and violence, where the continuous loss of legitimacy by state actors encouraged the participation of civil society. The 1980s and 1990s marked a golden age in this regard, with the emergence of a large number of institutions that approached these areas from new and different perspectives, usually with a focus on applied research and the respect of human rights. Specific research institutes were created within universities, while researchers and activists established NGO's that also worked on the ground. Prominent among those that dealt with armed violence were the Centre for Violence Studies of the University of Sao Paulo (NEV-USP, due to its Portuguese initials), the *Sou da Paz* Institute, *Viva Rio*, and the Religion Studies Institute (ISER, due to its Portuguese initials).

Researchers and activists from *Viva Rio* and *Sou da Paz* were the most involved with the firearm problematic. The first was a large grassroots NGO from Rio de Janeiro that was famous for its peace campaigns and social projects in the favelas. It was founded in 1993 in reaction to some of the episodes of extreme violence involving state's security forces that were mentioned in the

focusing events section. Firearm-related activities were only a small part of *Viva Rio*'s work in its early years, the organization focused mainly on demanding an end to violence through grassroots mobilizations and protests. Nevertheless, some of its most prominent members had close ties to state and federal politicians and managed to get their attention. This led to the implementation of local gun collection programs and to work with the state police to produce information regarding weapons used in crime (Cukier and Sidel, 2006: 218–220).

The second organization is the *Sou da Paz* Institute of São Paulo. It originated in 1997, when law students from the University of São Paulo launched the 'Sou da Paz Students Campaign for Disarmament', as part of a series of campaigns on public matters that had started a few years earlier. The campaign was preceded by an academic seminar at the NEV-USP (cf.: 1997), which was sponsored by the Globo Network and focused on the fundamental role that firearms play in Brazilian homicides. As a wake-up call for society and policy makers, the movement held its first public disarmament campaign that year, collecting and destroying 1721 firearms in the *Praça da Sé* in São Paulo. This was the first major civil society initiative to raise awareness on gun proliferation and it quickly received the support of a wide range of actors, including student and lawyers' unions, human rights organizations, prominent journalists, politicians, athletes and artists (Pekny et al., 2015).

Academics and scholars related to these groups were the first to investigate firearm-related issues in Brazil and in the region. As of 1997, research groups began producing a steady flow of reports about the impact of firearms on urban violence (Lucas, 2008). Because much of their study was pioneer and refuted preconceived notions on the matter, its results were difficult to refute. They demonstrated, for instance, that most firearms used in crime were Brazilian-made and that many could be traced back to state security forces. Such discoveries allowed them to gain the respect of peers and security officials alike.

Eventually, the local firearm securitization process received widespread acceptance among policy-makers and the public. The good reception led these groups to a more profound commitment with the problem. *Viva Rio* became truly involved with disarmament as of 1999, the same year that the *Sou da Paz* Students Campaign for Disarmament formalized into an official institute. Since then, both organizations assumed a leading role on disarmament and firearm control, both in Brazil and at the international level (Cukier and Sidel, 2006: 219). At this point, the line that separates knowledge-brokers and policy entrepreneurs becomes blurred, a possibility that was already contemplated by Knaggård (2016: 113). Indeed, as we will see in the analysis of the policy stream, many of these individual and collective actors went on to embrace the disarmament idea and get involved in the development of policy alternatives.

5.3.2 Policy stream: Disarming Brazil

Despite Kingdon's skepticism about concentrating on the origins of an initiative (1995: 71), we believe it is helpful to locate Brazilian's policy stream in a wider context. Thus, the ideas that eventually evolved into the Disarmament Statute came from academics, researchers and activists involved with the SAM, moving between academia, social movements and politics. They frequently approached insecurity from a Marxist perspective and rejected the punitive practices that characterize Brazilian police and armed forces (Ballestrin, 2010: 187–201).

Most interviewees agree that policy proposals revolved around disarming society as much as possible, as a way to curb -and eventually end- armed violence. This meant adjusting flow and stock variables by avoiding the entry of new firearms while reducing and destroying existing arsenals. Mutation and recombination processes eventually led to their materialization: the sale of firearms to civilians should be restricted or forbidden, their use restricted and heavily sanctioned, and their general possession discouraged through taxes, administrative formalities and voluntary weapon collection programs. The proposals (and eventual policy) were defined as ambitious or very ambitious by all interviewees.

Contrary to what might be expected in a country with a thriving small arms industry (cf.: Dreyfus et al., 2005, 2010), such policy alternatives gained acceptance quickly in the policy community and were largely undisputed among security experts and specialists. Interviewees explain this phenomenon noting that there was no information regarding small arms or their control at the time, neither in Brazil nor in South America:

“The truth is that nobody understood anything about firearm control. This was very helpful. What Pablo [Dreyfus] and I brought was a novelty, so that people did not even have an opinion about it. This made consensus-building easier.”

(Rangel Bandeira, Former Coordinator of the Firearm Control Program at Viva Rio, IB03. –Translated from Spanish⁸⁴)

Indeed, disarmament and gun control advocates seemed to have a monopoly over specialized information. Practitioners and experts on criminal violence neither opposed nor presented alternatives related to firearm control. Inasmuch as these former knowledge-brokers had stepped into uncharted territory, it is worth considering if they were not developing a new policy community. They left behind a network of army and police experts on crime and violence, and

⁸⁴ “La verdad es que nadie entendía de control de armas. Eso facilitó mucho las cosas. Lo que Pablo [Dreyfus] y yo traíamos era una novedad para todos. Entonces, la gente no tenía ni opinión. Eso explica la facilidad para obtener un consenso”. (Rangel Bandeira, Former Coordinator of the Firearm Control Program at Viva Rio, IB03 – 01:36:30).

formed a new network on firearm violence and control, an academic novelty in which they clearly had the upper hand. This also meant dealing with an extremely integrated network formed by participants with similar backgrounds, knowledge and worldviews (Ballestrin, 2010: 191). The low fragmentation of the policy community explains why the proposals developed under high levels of consensus and rose to prominence so easily, in some cases despite the depth of their scope.

It also helped to pass the community's criteria of survival. The causal relationship between firearm control policies and armed violence was unclear (*see chapter 3.3.2*), but all its components were technically feasible. They were also consistent with the values of the participants. Until after the Statute's approval in 2003, virtually all academics and researchers discussing firearm issues belonged to the reformist left (Ballestrin, 2010: 191). They believed in big government and that the state should hold the monopoly of violence and security. They were also pacifists and opposed violence and police brutality. They associated firearm violence with the military dictatorship and believed in the active role of civil society in the governance of security. Disarmament and gun control ideas fit like a glove.

5.3.3 Political stream: Lula and the progressive era

The political stream is composed of swings in the national mood, administration or legislative turnovers, and interest group pressure campaigns (Kingdon, 1995).

Swings in national mood

Public support for stricter firearm control policies was influenced by opposing 'moods' or 'climates'. Rising insecurity and a lack of confidence in the state's capacity to control crime, clashed with the hope and optimism transmitted by a new progressive government.

At the turn of the century, homicides and urban crime had been growing steadily for decades (Waiselfisz, 2015b), promoting a relentless perception⁸⁵ of fear and insecurity. This perception is not new, as pointed out by Koonings (1999). Both violence and fear are constant features throughout Brazil's history, especially during the military dictatorship (1964-1985). However, the crime and social violence that emerges in the 1980s and 1990s is more pluriform and democratic, subjecting not just the poor and left-wing radicals to the threat of violence, but all

⁸⁵ Perceptions of fear and insecurity must be understood as subjective indicators with their own causes and dynamics, that do not always go hand in hand with objective indicators of violence and insecurity, such as theft and homicide rates (Kessler, 2009; Lagos and Dammert, 2012; LAPOP, 2014).

social groups and classes. The result is not only a more intense sense of fear, but the establishment of a collective psychosis regarding public security (Ib.: 1999: 224–229).

In addition, the entire Brazilian criminal justice system –police institutions, prosecution authorities, judiciary and penitentiary systems- had proven incapable of controlling the situation. Even worse, the impotence against rising crime was met with police repression, producing a formidable increase in the abusive use of physical force to control public order. The common practice of lethal violence, torture, summary executions and general police brutality turned the Brazilian military and civilian police forces in major sources of violence in their own right, generating a climate of terror among the popular classes (Adorno and Dias, 2014; Wacquant, 2003). Extensive fears towards the police, added to the state’s inability to guarantee minimum security standards, resulted in the general discredit of the authorities in charge of security (Adorno and Dias, 2014). As discussed in *chapter 3.1.2*, the consequence was the widespread resort to measures of self-help via the private market, which included a growing demand for firearms.

At the same time, however, the latter decades of the 20th century in Latin America were heavily influenced by neoliberal theories and the template of the Washington Consensus (Restrepo, 1994; Rodriguez and Winchester, 1996). Brazil was not an exception in this regard, since FHC’s government continued the privatization program started by the former president Fernando Collor de Mello. Within a polarized political climate, neoliberals and developmentalists confronted each other as Brazil experimented the most intense process of denationalization in its history (Koonings, 1999: 220). In this sense, Lula’s accession to power in 2003 marked the beginning of a new period in Brazilian and Latin American history, associated with the rise of the New Left, neostructuralism and post-neoliberalism. The idea, above all, was that the state should rebuild its capacities and take on an enhanced role once again (cf.: Grugel and Riggirozzi, 2012).

Lula’s election also coincided with Brazil’s economic recovery from the devaluation of the Brazilian real in 1999. A highly positive economic climate allowed his government to achieve a satisfactory primary budget surplus in the first two years and exceed the target in 2005, when it paid off its debt to the IMF in full and ahead of schedule. Brazil gained international recognition and approbation as a result, becoming an emerging international actor and regional leader. Hence, Lula’s rise to power opened an era of hope for a society that was finally seeing the “country of the future” that they had been promised for so long (Montambeault and Ducatenzeiler, 2014; NACLA, 2011). Furthermore, the close relations between the PT party and civil society organizations allowed the convergence of their goals and strategies. The enthusiasm in the capacities of a new government to solve social problems colluded with the advocacy campaigns of social movements and NGOs working for disarmament.

Such opposing feelings of fear and hope help to explain the first national mood swing that occurred at the beginning of the 2000s. Against all odds, despite the long standing distrust in public authorities and collective psychosis regarding public security, national opinion surveys from September of 2003 suggested that 82 percent of Brazilians supported a ban on the trade of firearms (Folha de São Paulo, 2003). This was the first survey on the matter and the surprisingly massive support remained unchanged until the start of the referendum campaign in July, 2005 (Datafolha, 2005). It was the years in government and notorious corruptions scandals that produced a decline in the public approval of the governing party. Hence, only three months later -ten days before the referendum- the national mood swung back and a final national poll suggested a radical change: only 45 percent would vote in favor of the prohibition, against 49 percent who would vote against it (Inácio, 2006: 59).

Administrative and legislative turnover

Three administrative turnovers are especially relevant for our purposes: The arrivals to the Federal Government of FHC (PSDB, center right) in 1995 and Lula (PT, left) in 2003, as well as the accession by Anthony Garotinho to the state government of Rio de Janeiro State in 1999.

In his historical review of Brazilian security policies, Luiz Eduardo Soares (2007) notes that the federal administrations of FHC and Lula were the first to take public security seriously. Previous federal governments had met crime and insecurity with indifference and it was only FHC's administration that gave public security a superior political status, acknowledging the seriousness of the situation and the need for the federal government to intervene. Lula went a step further and gave public security a privileged position in his agenda, even unveiling a first National Public Security Plan during the presidential campaign.

These predispositions are also valid for the specific issue at hand. Even if it did not translate into a concrete policy until Lula's presidency, firearm control entered FHC's governmental agenda through the appointment of Renan Calheiros as Minister of Justice. Calheiros adopted gun control as his political pet project⁸⁶ and would introduce a legislative proposal in 1999 to restrict the sale of firearms by civilians. The Brazilian Chancellor's office was also actively involved in the fight against illicit trafficking of small arms and light weapons (SALW), perhaps as part of a wider

⁸⁶ “[Renan Calheiros] was a senator for his home state of Alagoas, the most violent state in Brazil, and he understood that this was his project. Policy-makers have issues that they consider fundamental, because they ensure them votes. So, he assumed this project, partly because it was important to his local politics”. (Translation from Portuguese) “*Foi um Senador de Alagoas, o estado mais violento do Brasil, e ele entendeu que esse era seu projeto. Os fazedores de política têm questões que eles consideram fundamentais, porque assim eles asseguram seus votos. Então, este senador assumiu o projeto, em parte porque era importante para se fazer política local*” (Rangel Bandeira, Former Coordinator of the Firearm Control Program at *Viva Rio*, IB03).

strategy to adopt a leadership role at the international stage (cf.: Canabarro, 2009).⁸⁷ Additionally, FHC gave his public support for state legislations that prohibited the sale of firearms to civilians (de Gouvêa Franco, 1999b).

Indeed, firearm control also entered governmental agendas at the state level in 1999, with the Rio de Janeiro state as the primary example. It was put forward by Anthony Garotinho, who became governor that year and named security expert Luiz Eduardo Soares as coordinator of the department of public safety. Soares was sensitive to the subject and close to researchers from *Viva Rio*. Together, they managed to pass a state ban on the sale of firearms to civilians in 1999. Because firearm control falls under federal jurisdiction, the ban was declared unconstitutional by the Supreme Court soon after. However, despite its annulment, this and other legislative efforts at the state level set a precedent for what was yet to happen at the federal level.

It was namely with Lula's accession to power in 2003 that the subject came to be at the center of the presidential agenda (Anastasia et al., 2006: 20). In fact, the strong ties between the PT party and civil society organizations had already led Lula to include stricter firearm control measures in his National Public Security Plan of 2002. His administration managed to gather more support than FHC's and to pressure legislators to introduce the issue in the legislative agenda (Inácio, 2006). He also named Luiz Eduardo Soares as National Secretary of Public Security and Márcio Thomaz Bastos as Minister of Justice, both strong advocates of stricter firearm policies and close to interest groups that campaigned on the matter. His presidency also coincided in time with the return of Renan Calheiros to his post as a federal senator for the state of Alagoas, while Luiz Eduardo Greenhalgh was a federal congressman for the state of São Paulo since 2002. Both were waiting for a proper voting majority on the issue, and were willing to debate and fight about it in their respective chambers.

Interest group pressure campaigns

Pressure campaigns in favor of disarmament and stricter firearm control began in 1997 and intensified as of 1999. They were largely carried out by social movements, non-governmental

⁸⁷ Among the most important outcomes of this policy were the ratification of CIFTA in 1999 and the adoption of the PoA in 2001. Brazil also presided over CIFTA's advisory committee as of 2002 and was one of the 23 Member States that placed a representative on the UN Group of Experts on marking and tracing (Dreyfus et al., 2003: 26–27; Godnick and Vázquez, 2003a: 18–19). Furthermore, in 2004, the Government signed a series of technical cooperation agreements with UNDP and the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean (UNLIREC), as well as bilateral agreements with MERCOSUR countries to establish mutual information mechanisms (Canabarro, 2009: 188). Some interviewees suggest that this activity was part of an attempt to assume a more proactive role on international security matters to seek election to a seat on the United Nations Security Council (Brazil was elected for the term 2004–2005). However, despite the active role adopted by the Brazilian Chancellor's office, it is worth mentioning that neither the Government nor the Brazilian weapons industry altered their exportation practices regarding SALW during this period, which even included the transfer of SALW to non-state actors that were not properly authorized by the importing country to import such weapons (Canabarro, 2009: 115, 122–123).

organizations and research institutes, with the help of the Globo Network media group and famous personalities. As already stated in knowledge-brokers section, two organizations largely led the process: the large grassroots NGO from Rio de Janeiro *Viva Rio* and the *Sou da Paz* Institute of São Paulo. Since we have already discussed much of their actions and influence in the problem and policy streams, in this section we will put a greater emphasis on interest groups in favor of gun rights.

Suffice it to say, that *Viva Rio* and *Sou da Paz* -together with other non-governmental organizations such as Visão Mundial Brasil or United Religions Initiative- took on an intense advocacy and lobbying strategy on the need for civil disarmament and stricter firearm control policies. Their strategy consisted mainly on three axes: public events, media exposure and research (Lucas, 2008: 28). Both organizations held marches and massive street demonstrations in state capitals all over the country, on many occasions bringing together tens of thousands of people. They relied on the constant support of the powerful Globo Network -the largest media group of Latin America-, advertising companies and famous artists to set up elaborate media campaigns, and obtained the support of practically all religious congregations (Cesar Conrado, 2006), women associations, medical associations and victims associations, among others. Finally, they devoted a team of researchers to develop information that would legitimize their political lobby, publicizing statistics and debunking myths on the proliferation of firearms in Brazil. Through their public advocacy, they managed to keep –or rather systematically reintroduce- the issue on the public agenda from 1997 all the way to the referendum in 2005 (Ballestrin, 2010; Dreyfus et al., 2003; Lucas, 2008).

Nevertheless, the arguments in favor of stricter firearm control policies did not convince everyone. Firearm enthusiasts, hunters and shooters were logically against any policy that would obstruct their access to new firearms, but they were not the only ones. Regarding security, most Brazilians experience what Koonings and Kruijt identify as a ‘governance void’ (2004: 7). That is, a public domain in which the legitimate state is effectively absent. In this context, many consider firearms their only defense against crime and violence (Sanjurjo, 2016b). This sentiment can be found throughout the country, but is especially present in the rural south, where there is a greater presence of the weapons industry and the firearm culture is the strongest. In this regard, gun control does not seem to be a partisan political issue in Brazil, but rather a geographical one. Most policy makers that defend the former *status quo* are from this part of the country and form the so-called ‘*bancada da bala*’, the parliamentary front that defends the right to individual self-defense.

The most important element of the ‘*lobby da bala*’ (Bullet Lobby), however, is the Brazilian weapons industry. Indeed, Brazil has a large and thriving small arms industry that was already in 2005 the largest in Latin America, the second-largest in the Western hemisphere –after the United

States’ - and the sixth largest in the world (cf.: Dreyfus et al., 2005, 2010). It is made of state-owned and private companies, with its four main producers being the state-owned IMBEL and private Forjas Taurus (Taurus), Comphania Brasileira de Cartuchos (CBC) and Amadeo Rossi. According to government statistics, the industry had sold around USD 200 million in non-military small arms, ammunition and parts in 2005. And even though the majority of its revenues come from exports -mainly to the USA- (Dreyfus et al., 2010: 39), their share of the national market is enormous: the vast majority of guns in Brazil are Brazilian-made (Rivero, 2005). Thus, a stricter firearm legislation -not to mention a ban on the sale of firearms to civilians- would mean a huge blow to the national industry’s revenues and interests.

However, while we assume that the national weapons industry always tried to influence policy-makers to oppose any additional regulations, our findings suggest that this counter-campaign only intensified a few years later, when it became clear that the disarmament campaign could find echo in the country’s capital. The same is true for other groups that defended the *status quo*, inasmuch as the existence of opposing interests does not necessarily translate into opposing pressure campaigns. Indeed, this is one of the most interesting characteristics of the Brazilian process. Unlike disarmament and gun control advocates, who began an intense campaign in 1999 and kept it going until the referendum of 2005, supporters of the former *status quo* only started a timid advocacy work in 1999 and increased it step by step, as the stakes got higher. Thus, as we will see in the following sections, firearm-rights advocates were practically idle until the subject entered the governmental agenda and only got heavily involved in view of the Statute’s approval in 2003.

“Sou da Paz spent two years [advocating for disarmament] unanimously, without a single critique. Nobody was against it, everybody wanted to be with us. [...] Only when we began working on Bills and the government seemed to be in favor, is that the gun lobby appeared. The gun lobby did not exist until it had a reason to.”

(Denis Mizne, Founder and former Executive Director of Instituto Sou da Paz, IB07 – Translated from Portuguese⁸⁸).

“We did not have many groups from civil society [...]. I believe it was in late 2003, when the Disarmament Statute had already been approved, that we got together and said ‘no, we have to professionalize the opposition’, and founded the Movement Viva

⁸⁸ *Tanto que Sou da Paz faz dois anos com unanimidade e não saiu uma crítica. Ninguém era contra, tudo mundo queria estar junto. [...] Quando aparece o projeto de Lei, quando a gente decide entrar nessa, então em 1999, a falar de ‘proibir’ e o governo vem com isso, é aí que começa a haver um lobby das armas. Porque o lobby das armas, até que tinha uma razão de existir, não existia”* (Denis Mizne, Founder and former Executive Director of Instituto Sou da Paz, IB07).

Brazil [...]. The right has never been associative in Brazil [...]. I think people simply got more involved. People thought the law would never pass, because the rural parliamentary group would never allow it. But it did. And then people woke up and realized that we had little more than a year until the referendum, and everyone began to participate”.

(Bene Barbosa, President of Movimento Viva Brasil, IB08 – Translated from Portuguese⁸⁹)

Hence, the first news about the development of a counter-campaign came in mid-1999 by the National Association of Firearm Owners and Storekeepers (ANPCA, due to its Portuguese initials). It emerged as a reaction to those legislative initiatives that wanted to limit the access to firearms by civilians. Thus, their main objective was to maintain the SINARM-Law of 1997 and defend the right to acquire firearms for protection. Supporting the counter-campaign were members of Congress from the southern states, the Association of Armories, Collectors and Shooters (ACOLT, due to its Portuguese initials), as well as the National Association of Weapon and Ammunition Industries (ANIAM, due to its Portuguese initials) (de Gouvêa Franco, 1999a, 1999b). But despite their efforts, the counter-campaign did not have any support from the media, was not able to mobilize public opinion nor to get their supporters out on the street. Consequently, the disarmament campaign was effectively unrivaled for many years, at least in the public arena.

This imbalance would start to change after 2003, when advocates of the *status quo* concentrated all their efforts to win the plebiscite of 2005. The national weapons industry made its move in the political arena, investing important amounts of money to promote candidates that opposed disarmament in the electoral campaign for the legislative elections of 2003 (Canabarro, 2009: 130). In the public arena, opposing groups from civil society became organized and founded several organizations that worked primarily online and through social media, such as the Movement *Viva Brasil*, the *Armaria* and the Movement for Legitimate Defense (Quintela and Barbosa, 2015: 12–13). Among their supporters was the weapons industry, but also regular civilians: firearm enthusiasts, hunters, shooters and all those who defended the right to self-defense. They lacked the support of the great majority of the mainstream media and only eventually received the endorsement of the influential weekly news magazine ‘*Veja*’.

⁸⁹ “Pela sociedade civil nos tínhamos muito pouco [...]. E depois em 2003, acho que até tardiamente, já havia aprovado o Estatuto do Desarmamento, a gente se reuniu e falou ‘não, nos temos que profissionalizar essa oposição’. E aí fundamos o Movimento Viva Brasil [...]. A direita nunca foi associativa no Brasil [...]. Eu acho que houve uma participação maior das pessoas. Muita gente achava que essa lei não ia passar, porque a bancada ruralista não ia permitir sua aprovação. E foi. E aí as pessoas acordaram e se deram conta que tínhamos um ano e pouco para o referendo, e ali as pessoas começaram a participar” (Bene Barbosa, President of Movimento Viva Brasil, IB08, 2016/11/30).

“Disarmament advocates enjoyed more media space, partly because of the support of the government. Only with the realization of the referendum and with the mandatory campaigns on the subject [-the Disarmament Statute structured the referendum campaign by establishing two parliamentary fronts with equal media time-], where both sides had the same space and time to display their points of view, did citizens have access to other information, for example regarding the undeniable right to legitimate defense.”

(Salésio Nuhs, Director of CBC and President of ANIAM, IB09 -Translated from Portuguese⁹⁰).

5.3.4 Agenda and decision couplings

Following the modifications proposed by Herweg et al. (2015) and Zohlnhöfer et al (2016), we define the agenda coupling process as successful if its output is a worked-out policy proposal that moves into the decision agenda and requires an authoritative decision by policy makers. A good example is the introduction of a bill in parliament. If the negotiations with veto actors is prosperous and the policy proposal is adopted, then a decision coupling has taken place (Zohlnhöfer et al., 2016).

As for our first case study, we consider that successful agenda changes occurred in 1999 and in 2003, although only the latter developed into an actual policy change. The first attempt caused dozens of firearm control-related bills to be introduced in the Chamber of Deputies and in the Federal Senate in 1999. Among these were Bill n° 1073/1999⁹¹ by Minister of Justice Renan Calheiros and Bill n° 292/1999⁹² by Senator Gerson Camata. Both bills were voted down eventually, but were significant for the overall process: The first came directly from the FHC’s government and the second was the basis for Bill n° 1555 of 2003⁹³, which eventually turned into the Disarmament Statute⁹⁴ (Magalhães Araújo and Santana, 2006; Pekny et al., 2015). For the sake of the analysis, we will divide this section in two parts.

⁹⁰ “Os desarmamentistas possuíam maior abertura e espaço na mídia, devido inclusive ao apoio do governo. Somente com a necessidade de realização do referendo e, conseqüentemente, das campanhas obrigatórias sobre o tema na mídia, no qual ambos os lados tiveram o mesmo espaço e tempo para expor seus pontos de vista, que os cidadãos puderam ter acesso a outras informações, como o direito inviolável a legítima defesa” (Salésio Nuhs, Director of CBC and President of ANIAM, IB09 - 2016/12/13).

⁹¹ BRASIL: Bill n° 1.073/1999, June 02, 1999.

⁹² BRASIL: Bill n° 292/1999, May 04, 1999.

⁹³ BRASIL: Bill n° 1555/2003, July 24, 2003.

⁹⁴ BRASIL: Law n° 10.826, December 22, 2003.

First attempts: Agenda coupling under FHC's presidency

Overall, it can be said that the origins of the agenda-setting process can be found in the international SAM, which was able to find fertile breeding ground in Brazil during the 1990s (*see 5.3.1 -Knowledge-brokers*). One consequence thereof was the approval of the SINARM-Law in 1997, which was greeted by firearm control advocates but left most of them –and especially disarmament supporters- largely unsatisfied with the outcome (*see 5.3.1 -Policy feedback*). They continued pressing for change and it was not long before they managed to draw unprecedented attention to the issue.

The specific agenda coupling process began in 1999, as researchers and activists harnessed the media coverage and wide repercussion of their message, and began to advocate for specific policy alternatives (*see 5.3.2 -Policy stream*). At the beginning, advocacy campaigns were concentrated in the cities of São Paulo and Rio de Janeiro. However, as they gained popularity, advertising companies and famous artists joined the initiative and made themselves available for free, providing policy entrepreneurs with enough resources to set up elaborate campaigns around the country (*see 5.3.3 -Interest group pressure campaigns*).

This was the first time that disarmament was demanded publicly, outside the policy community. It was coupled to a specific problem, as a solution to firearm violence and homicides, which had been rising dramatically since the 1980s and turned Brazil into one of the deadliest countries in the world (*see 5.3.1 -Indicators*). The precise moment denotes the right use of a window of opportunity that opened unexpectedly that year in the problem stream: For the first time, a public opinion poll suggested that violence and insecurity were the most urgent problems for the residents of São Paulo (*see 5.3.1 -Problem load*). The organizers of these campaigns could be considered collective entrepreneurs, even though some of its members –Denis Mizne or Rangel Bandeira, for instance- were especially relevant for the lobbying functions.

In the words of Kingdon (1995), disarmament and firearm control advocates had managed to join the policy and problem streams together, and were now attempting to couple the political stream as well. The first joining had been relatively easy, because the epidemic of violence had turned the problem stream ripe. Nonetheless, policy advocates knew that they needed political entrepreneurs on board as well, in order to facilitate parliamentary advocacy tasks. It was then that individual entrepreneurs related to *Viva Rio* –such as Antônio Rangel Bandeira and Rubem César Fernandes- took advantage of their close ties to state and federal politicians to persuade them and push solutions into their agendas (Inácio, 2006: 44).

Two predictable policy windows opened in the political stream (*see 5.3.3 -Administrative and legislative turnovers*). The first was the accession to power of Anthony Garotinho as the governor of Rio de Janeiro State in 1999 and his appointment of Luiz Eduardo Soares as coordinator of the

department of public safety. A researcher and academic himself, Soares was convinced of the need of disarmament and provided access to researchers from *Viva Rio* to classified information regarding weapons seized by the state police. This pioneer association between a state government and an NGO allowed researchers to debunk long standing myths related to the impact of legally sold firearms on crime and urban violence (*see 5.3.1 -Indicators*). The result was a political stir and the approval of state legislation that prohibited the sale of firearms to civilians (*see 5.3.3 - Administrative and legislative turnovers*). Even though the ban would be declared unconstitutional soon after, it set an important precedent that even counted with the public support of President FHC (de Gouvêa Franco, 1999b).

The second political window happened around the same time at the federal level. The Brazilian Chancellor's office had become actively involved in the advocacy against international trafficking of SALW, but the central core of FHC's government was reluctant to back such a radical regulation. This changed with the results of a public opinion poll that suggested a public support of 80 percent to a disarmament strategy (Mota, 2006: 7, 15) (*see 5.3.3 -National mood*). The federal government seized the opportunity and began to move the strings, with Justice Minister Renan Calheiros –appointed in 1998- as the strongest advocate for a more stringent firearm legislation. His most important partners in the legislative arena were Senator José Roberto Arruda and President of the Senate José Sarney (Magalhães Araújo and Santana, 2006: 79).

Eventually, advocacy tasks inside and outside the political system proved successful. Dozens of firearm control-related bills were introduced in The National Congress in 1999, which indicates that the political stream was ripe enough for an agenda-coupling. Most bills either sought to further restrict the sale and use of firearms or to remedy elements of the SINARM-Law that had proven unsatisfactory. Among them was Bill n° 1073/1999⁹⁵ by Minister of Justice Calheiros, which came directly from the Federal Government and sought to restrict the sale of firearms to members of the Armed Forces, private security companies and intelligence units. Consequently, a full agenda coupling had taken place, resulting in an agenda change that was far from incremental.

But despite the governmental support, the decision-coupling process would eventually prove unsuccessful. Indeed, none of the gun control-related bills would receive the parliamentary approval. The reason behind it was that FHC was elected with the support of a heterodox coalition of parties in which voting allegiance was not always strong. The coalition held a majority in Congress, but the Executive still had a hard time gaining support for its legislative priorities. In this case, veto actors inside and outside the governing coalition did not agree on the solution. Policy entrepreneurs were not able to convince enough policy makers and the majorities rejected

⁹⁵ BRASIL: Bill n° 1.073/1999, June 02, 1999.

the proposal. The political stream was ripe enough for an agenda-coupling, but not for a decision-coupling.

Some authors suggest that it was the influence of the gun industry that turned policy-makers against the bill (Ballestrin, 2010; Lucas, 2008: 28). Nonetheless, our findings are consistent with those of Correa and Nunes (2006: 128), who analyze the legislators' engagement and conclude that there were very few politicians emphatically opposing these proposals back then. It seems more likely that most policy makers were simply unconvinced about the matter and unsure about the voters' reaction to such a restrictive legislation (*see 5.3.3 -National mood*). The timing was also problematic, since it coincided with the worst moment of the economic crisis that shook Brazil in 1999. The devaluation of the real caused unemployment to double that year, which probably occupied the attention of most policy-makers and suspended other items in the agenda (*see 5.3.1 -Problem load*).

Second attempt: Successful agenda- and decision-couplings

After the legislative debacle, non-political entrepreneurs reacted by intensifying their pressure on policy makers. Between 1999 and 2003, *Sou da Paz*, *Viva Rio* and other civil organizations held massive public events on a regular basis, appeared continuously in the media and remained developing information that legitimized their objectives (*see 5.3.3 -Interest group pressure campaigns*). The Globo Network was a constant supporter of their cause, echoing their actions and making their voices heard (Ballestrin, 2010; Dreyfus et al., 2003; Lucas, 2008; Pekny et al., 2015).

In addition to finding support in the political stream through parliamentary advocacy (Inácio, 2006: 44), such campaigns were functional and effective to keeping the problem and policy streams loosely coupled. This involved making use of any window of opportunity that opened along the way in the problem stream. A good example was the Bus 174 hostage crisis that took place in Rio de Janeiro on June 12, 2000 (*see 5.3.1 -Focusing events*). As a response to the dreadful episode, *Viva Rio* launched a national peace campaign called '*Basta! Eu Quero Paz*' (Enough! I Want Peace) that included the setting up of an enormous wall of family photos of loved ones murdered by firearms at Praça Carioca in downtown Rio de Janeiro. The so-called 'Mural of Pain' was eventually put in the halls of the Brazilian National Congress and even made its way to the first UN-sponsored International Conference on SALW (Lucas, 2008: 28).

On the political stream, the subject reentered the legislative agenda in early 2002, when the non-stop growth in crime and violence indicators (*see 5.3.1 -Indicators*) led federal deputies Luiz Eduardo Greenhalgh and Renido Calheiros –Renan Calheiro's brother- to argue against the sale of firearms to civilians (Correa and Nunes, 2006: 123–124). The definitive window of opportunity

arrived with Lula's accession to power in 2003. Entrepreneurs had reasons to expect it and prepared accordingly. First, because Lula was the most likely candidate for office and his party had strong ties to civil society and NGOs. Second, because he presented a National Public Security Plan in his election platform that included a commitment to specific measures against firearm proliferation and violence (*see 5.3.3 -Administrative and legislative turnovers*).

While non-political entrepreneurs continued pressing for reform on the streets, from this moment on, political entrepreneurs took the lead on the political process. Luiz Eduardo Soares was appointed National Secretary of Public Security and played a decisive role in reopening the debate. As he himself claimed, “[t]his was my contribution: lead the Federal Government to that proposal” (Soares, in: Rezende Mota, 2006: 7, Translated from Portuguese)⁹⁶. The engagement of the Presidency through the Ministry of Justice was crucial (cf.: Inácio, 2006) due to the broad legislative agenda and veto powers that the Constitution of 1988 concedes the executive branch in the Brazilian political system. Its institutional position allows the executive branch a first-mover advantage in the decision-making process, marked by the anticipation to the reactions of other participants (Anastasia et al., 2006: 23).

On June 30, 2003, the Executive Branch summoned the National Congress to an extraordinary commission and transmitted the presidential message that all bills related to firearm control should be given priority in the legislative agenda (Inácio, 2006: 44). Such a request could probably not have been made in previous years, when the country was battling the economic crisis. Unemployment rates remained high, but the economy had begun to recover and Lula's first presidential term started with a positive economic climate. Policy makers had more time to occupy themselves with violence and insecurity, which was the second main political concern at the time (*see 5.3.1 -Problem load*).

The presidential message led the presidents of the upper and lower house to establish a special joint committee in July of 2003, with the purpose of stimulating the debate in the National Congress, where the Executive only counted with a simple majority. The Joint Committee was composed by five congressmen and five senators, and had fifteen days to present a legislative proposal that reconciled the diverse interests represented in the Federal Senate and in the Chamber of Deputies. Chosen as main proposal –to which all other proposals were adjoined- was Bill nº 292⁹⁷, introduced in the Senate by Senator Gerson Camata in 1999. This allowed the Senate - where it seemed easier to build a majority around the bill- to have the last word on a negotiation that was thought to be extremely difficult, especially in the lower house. As demonstrated by Magalhães Araújo and Santana (2006: 81–91) in their in-depth review of the parliamentary process, the performance of the Joint Committee included an impressively complex game of

⁹⁶ “*Minha contribuição foi esta: a de levar o governo federal para essa proposta*” (Mota, 2006: 7).

⁹⁷ BRASIL: Bill nº 292/1999, May 04, 1999.

intermediation and consensus building that allowed the proposal to survive the two-chamber and multi-party systems without drastic alterations. On July 24, the relator of the Joint Committee, Congressman Luiz Eduardo Greenhalgh, presented the ‘substitutive’ n° 1555/ 2003⁹⁸, which replaced bill n° 292⁹⁹ and more than 70 adjoined proposals.

It was approved days later by the Senate Commission on Constitution and Justice, and sent for revision to the Chamber of Deputies. The negotiations in the lower house were difficult overall (dos Santos, 2007; Magalhães Araújo and Santana, 2006), but the most contentious point by far was the proposition of carrying out a national referendum to decide on the nationwide ban on the sale of firearms to civilians. This implied a transfer of decision-making power from the Legislative branch to the electorate, a novelty in the country’s political history.

There are various reasons behind such an unusual choice. First of all, pressure campaigns had produced such a strongly favorable national climate (*see 5.3.3 -National mood*) that political entrepreneurs believed that the realization of a referendum would allow them to go public and lead the electorate to a comfortable victory (Anastasia et al., 2006: 24). This was especially the case for President Lula and the PT party, which had its bases in leftist social movements and historical ties to participatory forms of government at the state and local levels. More importantly, however, a popular consultation represented for many legislators an opportunity to duck a hot issue, as well as a convenient exit from somebody else’s political crossfire. By that time, the conflict of interests was explicit and most legislators were uncomfortable defending either side, since both implied important losses in future electoral resources. The referendum worked as a procedural strategy that allowed them to delegate the political responsibility and avoid an unpopular decision for which they would be blamed either way (Anastasia et al., 2006; Correa and Nunes, 2006; Magalhães Araújo and Santana, 2006).

Eventually, the decisive coupling of the political stream was the result of a combined effort between entrepreneurs inside and outside the political system, facilitated through political policy windows. In September, the Brazilian Institute of Public Opinion and Statistics (IBOPE, due to its Portuguese initials) carried out a national poll that suggested that seven out of ten Brazilians had heard about the policy proposal, from which 82 percent supported its approval (*see 5.3.3 -National mood*). The results were presented in the Chamber of Deputies by IBOPE’s president and Congressman Luiz Eduardo Greenhalgh (Folha de São Paulo, 2003) and had a strong impact on policy-makers who were undecided or fearful of publicly declaring their position.

Likewise, non-political advocates kept the pressure on the streets during the legislative process (*see 5.3.3 -Interest group pressure campaigns*) (Ballestrin, 2010; Pekny et al., 2015). For instance,

⁹⁸ BRASIL: Bill n° 1555/2003, July 24, 2003.

⁹⁹ BRASIL: Bill n° 292/1999, May 04, 1999.

on the eve of the vote in the Commission on Public Safety and Fight Against Organized Crime, Violence and Drug Trafficking, massive street demonstrations were organized in São Paulo and Rio de Janeiro. The gatherings involved tens of thousands of people in highly original events that included famous personalities and even the coordination with the most popular soap opera of the Globo Network. On that day's episode of *Mulheres Apaixonadas* (Women in Love)¹⁰⁰, the characters discuss the need for stricter firearm control and attend the public demonstration. Thus, a part of the episode was filmed live from the streets of Rio de Janeiro, where the characters mingled with the crowd and invited spectators to turn off the television and join them (Ballestrin, 2010: 199).

The joint efforts of entrepreneurs -inside and outside Congress- to pressure legislators and build a majority around the bill was overwhelming. Because the original bill had been introduced in the Senate, this body could always reintroduce dispositions into the proposal if they were vetoed by the lower chamber. As a result, deputies who opposed the referendum had to veto the entire proposal, a costly strategy in electoral terms, considering the urgency of the matter and the public support it enjoyed (Magalhães Araújo and Santana, 2006: 90). Eventually, the Law nº 10.826¹⁰¹ was sanctioned by the National Congress in full on December 9, 2003. It was enacted without presidential vetoes and signed by President Lula on December 22, 2003. The enactment of the so-called Disarmament Statute marked the success of the decision coupling process.

Nonetheless, the transfer of decision-making powers to the electorate extended the decision-making procedure, adding two new instances in which the disarmament proposal could be modified or vetoed: The first was the legislative authorization process for the referendum. Since the approval of the Statute, opponents of the ban had attempted several procedural strategies to nullify, modify or postpone the consultation. Their efforts proved eventually unsuccessful and in July of 2005, the referendum was finally granted a definitive date (Correa and Nunes, 2006: 126–128). The second was the actual referendum, which gave policy entrepreneurs and supporters of the status quo a second chance to invest new resources in a different decision-making arena.

The Law structured the referendum campaign by establishing two parliamentary fronts (Lima, 2009). The 'Yes' front used the slogan 'For a Brazil Without Guns', was conformed and organized by civil society leaders and led by Senator Renan Calheiros and Federal Congressman Raul Jungmann. The 'No' side campaigned under the slogan 'For Legitimate Defense' and was formed by the gun lobby, which included the firearms industry, the *bancada da bala* and a strong conservative base. It was led by Federal Congressmen Alberto Fraga and Luis Antonio Fleury. By Law, each side was allowed 20 days of equal exposure in the mainstream media before the

¹⁰⁰ Written by Manoel Carlos, *Mulheres Apaixonadas* (Women in Love) is a Brazilian soap opera which originally aired on *Rede Globo* from February 17, 2003 to October 11, 2003. The episode discussing firearm control was written with the help of researcher and activist Antônio Rangel Bandeira (IB03).

¹⁰¹ BRASIL: Law nº 10.826/2003, December 22, 2003.

referendum. Hence, for three weeks, each campaign did its absolute maximum to expose Brazilians to press articles, editorials, talk show debates, panel discussions and television commercials (Ballestrin, 2010: 190–201; Fuks and Novais, 2006; Fuks and Paiva, 2006; Inácio et al., 2006; ISER, 2006; Lucas, 2008).

Eventually, the move that had been praised as a masterstroke by disarmament supporters (Anastasia et al., 2006: 24) ended up being a political shot in the foot. The referendum was eventually held on October 23, 2005, and contrary to expectations, over 95 million voters decided not to authorize the ban. On the question “Should the trade of firearms and ammunition be prohibited in Brazil?”, 63,94% of registered voters decided against the prohibition. In consequence, the Disarmament Statute was held in place but without the ban on the sale of firearms to civilians (Lourenço, 2015; Magalhães Araújo and Santana, 2006).

Several authors have attempted to explain the surprising result of the referendum (e.g.: Inácio et al., 2006; ISER, 2006; Mota, 2006). Among the most important reasons for its outcome were the successful redefinition of the problem and the wider political context. Supporters of the status quo were able to counter the firearms securitization process and impose a new definition of the problem, based on a matter of individual rights (Fuks and Paiva, 2006: 220–223). Accordingly, what was at stake had nothing to do with urban violence, but with an ineffective government taking away Brazilians’ imperative right to self-defense (*see 5.3.3 -Interest group pressure campaigns*). Finally, the referendum came at a time of profound political crisis, when the ‘*mensalão* scandal’ threatened to bring down the ruling party (*see 5.3.1 -Problem load*). In this context, the dissenting vote offered an opportunity for voters to indirectly express their discontent with the government and with corruption (Mota, 2006: 11–13).

5.4 Summary and conclusions

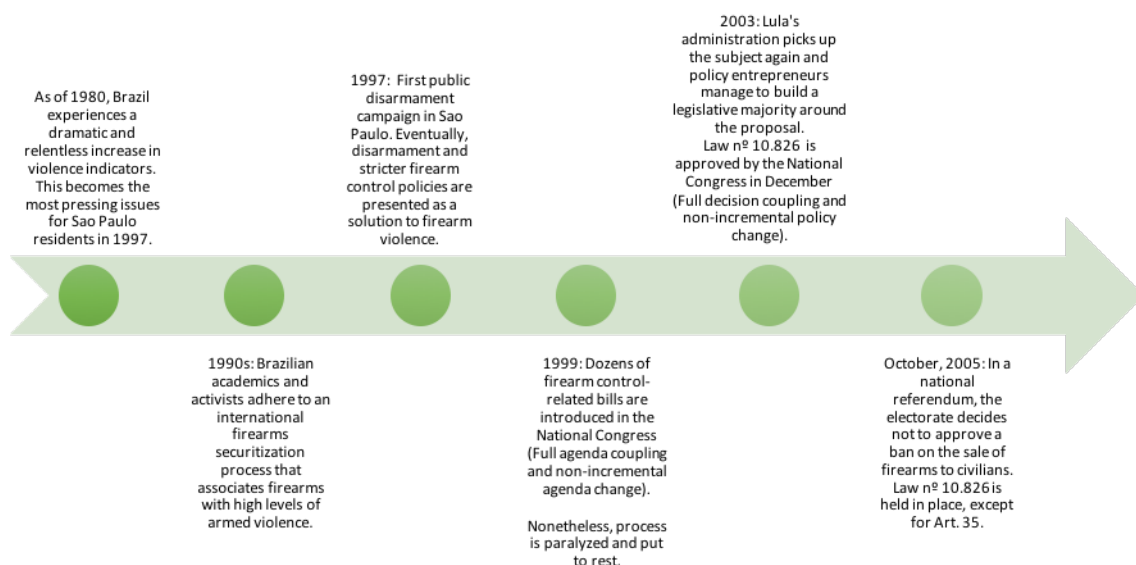
This chapter provided a comprehensive explanation for the agenda and policy changes that led to the approval of the Brazilian Disarmament Statute in 2003. Furthermore, it proved that the modified version of the MSF is capable and well suited to explain why agendas and policies change or stay constant in Brazil.

Facing the dramatic increase in violence indicators since the 1980s, Brazilian academics, researchers and activists adhered to an international firearms securitization process that associates guns with high levels of armed violence. Around 1999, acting as policy entrepreneurs, they were able to capitalize the policy windows at their disposal to couple their policy solution to the specific problem. The coupling of the political stream would occur that same year with the introduction of dozens of firearm control-related bills in the National Congress. However, the ripeness of the political stream was wrongly judged by political entrepreneurs, who were not able to form

political majorities around their proposals. Hence, the non-incremental agenda change did not translate into a change in policy. Nonetheless, the policy and problem streams remained loosely coupled due to the continuous efforts by policy entrepreneurs inside and outside the political system. It was eventually in 2003 that political entrepreneurs were able to exploit the administrative and legislative turnovers to build a political majority around their proposals and achieve a non-incremental policy change. A successful decision-coupling had been achieved.

The application of the extended MSF to firearm control policies in Brazil, allows us to conclude that the Disarmament Statute was the consequence of various attempts by policy entrepreneurs to change the gun control policies in place. It was specifically the result of full agenda couplings in 1999 and 2003, followed by a full decision coupling in 2003. Moreover, while the policy process was not rational, as the MSF suggests, problem-solving was consequential (Zahariadis, 2003: 12). That is, solutions (stricter firearm control policies and disarmament) were developed in response to a specific problem (rising crime and violence).

Figure 10: Timeline – The Disarmament Statute’s policy formation



Source: Own elaboration.

Furthermore, it is questionable if the specific policy formation of the Disarmament Statute could be explained with the original version of the MSF (Kingdon, 1995). This case study has namely specific characteristics that make the applied extensions especially useful and perhaps indispensable. First, it is the additional variable ‘problem load’ (Zahariadis, 2003: 154) that allows us to acknowledge how the effects of the economic crisis of 1999 relegated the firearm control issue at the end of the 1990s, and how the ‘*mensalão* scandal’ of 2005 played against disarmament

advocates in the referendum. Secondly, the Disarmament Statute was the result of two major attempts by policy entrepreneurs. The first at the end of the 1990s, when a first full agenda coupling took place, and the second in 2003, when the political stream was coupled once again for a second full agenda coupling and a full decision coupling. Without Herweg's et al. (2015) and Zohlnhöfer's et al. (2016) modification, agenda-setting and decision-making would be collapsed into a single coupling process (Zahariadis, 1995, 2003) and it would not be possible to explain why the disarmament strategy entered the agenda in 1999 but then failed to be adopted by policy-makers. It would not be possible either to explain why the final policy output was different from the original proposal, since the ban on the sale of firearms to civilians was only vetoed in the referendum, the last decision-making phase.

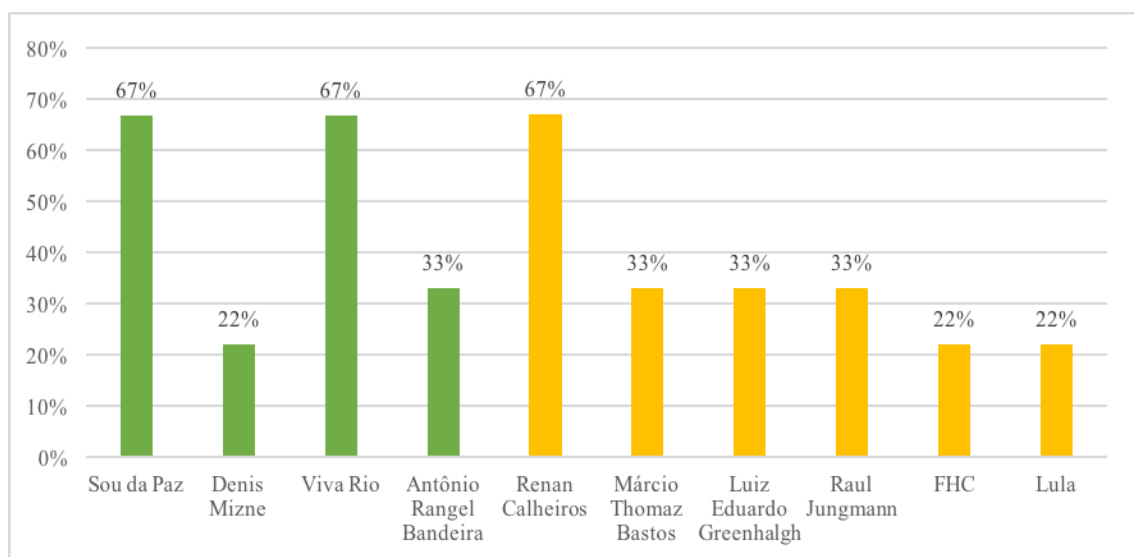
The capacity of the extended MSF to explain the final policy outcome is also worth discussing, since the authors of the decision-coupling process never refer to mechanisms of direct democracy (Herweg et al., 2015; Zohlnhöfer et al., 2016). Can the decision-coupling process explain referendums that ratify, reject or modify the decisions of policy makers? We believe it can, as long as the plebiscite is projected as an extension of the decision-making procedure. That is, when political policy-makers agree on an instance in which the veto and decision-making powers are transferred to the electorate, as in the Disarmament Statute. This is not always the case with referendums, since many institutional settings allow direct democracy mechanisms to be used at any moment, mostly to decide over policy decisions that were not meant to be revised in that way. In this case, we would rather be facing a whole new agenda- and decision-coupling process altogether.

On the other hand, the inclusion of 'knowledge-brokers' (Knaggård, 2015, 2016) was not essential for the overall explanation of the policy process, but was nonetheless useful to introduce some very needed agency in the problem stream and to underscore the important role played by academics and researchers in framing the issue. They were regarded as credible actors among the public and policy-makers and it was their securitization discourse which gave a meaning to the other variables of the stream. Even more, it was their research that developed some of those indicators. We could argue that this could have been the task of traditional policy entrepreneurs, but then we would not be acknowledging individual and collective actors who only demanded an end to violence or any type of response by political authorities. In this regard, Knaggård's knowledge-brokers are especially suited for actors that decide to stay in the problem stream. This was not the case of most of our securitization agents, who were fundamental in developing alternatives and even as interest groups and policy-makers in the political arena.

Their prominence in the larger process leads us to identify a minor inconsistency in the empirical analysis regarding Kingdon's theory and policy entrepreneurs. Kingdon (1995: 199–200) does not include academics, researchers and activists among the 'visible participants' that largely

influence agenda-setting. However, the Brazilian case shows that their role in achieving agenda and policy changes cannot be understated (Ballestrin, 2010; Dreyfus et al., 2003: 30–34). Indeed, some researchers and activists from *Viva Rio* and *Sou da Paz* were crucial in all streams, and the organizations themselves played a major role in the agenda-setting process. Their ties and close access to the ruling party -as well as their alliance with the Globo Network and advertising companies- granted these NGOs enough resources to become prominent collective entrepreneurs (Zohnhöfer et al., 2016: 250), a condition that was also identified in the interviews (*Figure 11*).

Figure 11: Individuals and organizations that were key in including the firearm control issue in the Brazilian agendas (mentioned by at least two interviewees, in percent)



Source: Own elaboration, from mentions by at least two interviewees.

*Differentiated by their role as non-political and political policy entrepreneurs.

A few institutional factors could also be relevant in this regard. First, the already mentioned governance voids or public domains in which the legitimate state is effectively absent. Second, the low levels of legitimacy of Brazilian political parties as central actors of the democratic process (Sousa Braga et al., 2016: 123). To a certain extent, both characteristics may favor the political participation of civil society organizations in security matters. Additionally, their performance as ‘visible participants’ in the formation of the Disarmament Statute is consistent with the frequent role played by social movements and NGOs in the firearm securitization process (*see 3.2*). This was the case in other Latin American countries (Álvarez Velasco, 2016; DerGhougassian, 2011) and also at the global stage (Cooper, 2011; Grillot et al., 2006; Hill, 2006), where the HAC and the SAM initiatives were temporarily able to illustrate “the ability of global civil society to exercise bottom-up power by successfully interjecting human security

concerns into a policy field previously dominated by the national security concerns of states” (Cooper, 2011: 134).

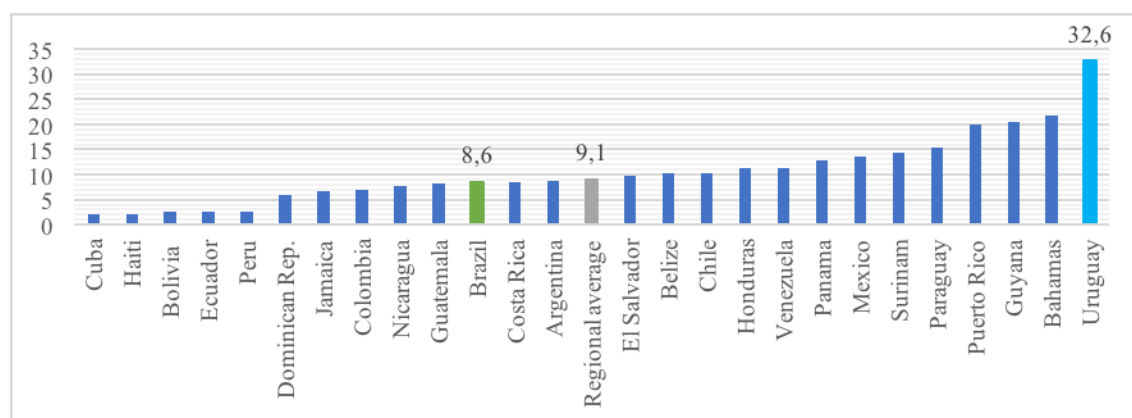
Although the visibility and importance of civil society organizations could be an exceptionality of Brazil and the SAM, Kingdon’s underestimation of the role played by social movements and non-governmental organizations might also be due to the period in which he developed the MSF (1984). In retrospective, analysts have referred to the 1980s and 1990s as the ‘golden age’ of national and international NGOs (Agg, 2006). Both locally and internationally, NGOs largely came to be seen as trusted and credible actors, capable of making a distinctive contribution to the eradication of poverty and injustice in developing countries. Their prestige and recognition gave them privileged access to official development agencies and international forums (Roche and Hewett, 2013), such as those related to international security. This was also the case for Brazilian NGOs, inasmuch as they mushroomed after the democratic opening and as the social and academic response to ‘governance voids’ (Koonings and Kruijt, 2004: 7). The accession to power of FHC and, above all, the PT party, enhanced their influence substantially and gave them access to policy fields that had been traditionally limited to state actors.

Finally, the importance of Brazil’s federal structure is also worth mentioning. Similar policies to the Disarmament Statute were approved previously in the state of Rio de Janeiro and in the F.D. of Brasilia. Even though both laws were overruled, because firearm control falls under federal jurisdiction, these policies acted as precedents and as political policy windows that national policy entrepreneurs could capitalize. As estimated by Zahariadis (2003: 17–18), federalism seems to have an effect on the structure of policy networks and on couplings. At least in this case, the coupling process worked from the bottom-up, that is, from the state to the federal level. Brazilian entrepreneurs were unsatisfied with the overruling and decided to go for it at the federal level (Cukier and Sidel, 2006: 219). It also had an effect on policy-making at the state level, in what resembles Kingdon’s (1995: 190–194) ‘spillovers’ between policy areas: The approval of a ban on the sale of firearms by one state motivated the approval of a similar ban by another. These dynamics will probably not be present in political systems with a unitary structure, such as our next case study, Uruguay.

Chapter 6: The Uruguayan Responsible Firearm Ownership Law of 2014

To those unfamiliar with the subject, the choice of Uruguay as the second case study might seem surprising at first. Nevertheless, the country has intrigued the gun policy community for a long time, leading specialists to request its specific study (Karp, 2012: 16). In the deadliest region in the world, Uruguay manages to achieve relatively low rates of homicide despite having extraordinary high levels of firearm proliferation. The Small Arms Survey research institute namely estimates that Uruguayans possess 32,6 legal and illegal firearms per every 100 residents. Under this premise, Uruguay would have the most armed society in Latin America (*see Figure 12*), the second most armed in the hemisphere (only behind the USA) and the 9th most armed in the world (Karp, 2007, 2012).

Figure 12: Estimated civilian firearm possession rates in 26 countries and territories of Latin America



Source: Own elaboration, using estimations by Karp (2012).

*Rates per every 100 inhabitants.

Despite the acceptance of these estimations by international organizations (OAS, 2008: 21) and local NGOs (Salamano, 2016), it is highly likely that they are excessive. Local experts agree with the depiction of a highly-armed society but cast doubts on the quantity of illegal weapons in circulation.¹⁰² Ultimately, the ‘dark figure’ of unregistered firearms can only be guessed and even

¹⁰² Evidence from confiscated firearms suggests that the Uruguayan registration system is more robust and comprehensive than usual (Fleitas and Otamendi, 2007: 97). The system would namely include a much higher percentage of the total firearms arsenal than other registries in the region, which in turn would account for the excessively high estimations (Evans, 2012: 8–7; Morás and Trujillo, 2015: 187–190). This might be true, since the country’s firearm registration system dates back to 1944 and is one of the oldest in the world. Moreover, Uruguayans generally respect the rule of law more than in neighboring countries (World Justice Project, 2016), which facilitates higher rates of registration. As a result, local estimations range between one firearm for every three inhabitants to one firearm for every six inhabitants (Evans, 2012: 7–8). Furthermore, these estimations do not reflect the domestic distribution of firearms nor their concentration level inside the territory. In the absence of thorough and comprehensive studies on the matter (for the Brazilian case, see Dreyfus and de Sousa Nascimento (2005, 2010), Uruguayan researchers have turned to surveys to present the country’s firearm proliferation from a household perspective. Thus, Tenenbaum Ewig (2009) suggests that 11 percent of all Uruguayan households would own at least one firearm, whereas Morás and Trujillo (2015) increase this estimation to 14,6 percent. These are certainly conservative figures, since this methodology faces the difficulties of asking respondents about their possession of irregular and illegal weapons.

the most conservative estimates suggest that Uruguayans are heavily armed: Approximately 605 thousand firearms were legally registered by February 2016 (Peralta and Draper, 2016), which implies one legal firearm for every 5,6 inhabitants¹⁰³.

In a country where insecurity and criminal violence suppose the primary public concern of its citizens (CIFRA, 2016), one would expect that such estimations would cause public alarm. This is not the case, however. Gun proliferation has never really caught the attention of the Uruguayan public, while its presence in the media has only been sporadic (Evans, 2012: 3). Likewise, the political involvement of civil society was delayed and limited (Dreyfus et al., 2003: 57) and the issue never managed to be at the center of the political agenda. Several decrees and memorandums regulating firearm possession and use were incorporated in the second half of the 20th century and beginning of the 2000s, but the main legal framework dated back to 1943¹⁰⁴. Policy succession (Hogwood and Peters, 1982) only took place in 2014 with the approval of the Law n° 19.247¹⁰⁵. Labelled the ‘Responsible Firearm Ownership Law’¹⁰⁶ (RFOL), its legislative process went mostly unnoticed to the general public (López and Palummo, 2013: 50–51). Moreover, the legislator’s intentions could not be enforced until December 2016, when its regulation¹⁰⁷ was finally sanctioned.

Furthermore, scholarly attention to the problematic has been scarce. The academic literature on public security has received an important boost in the last decades from a sociological perspective (e.g.: Mallo and Viscardi, 2010; Paternain, 2013; Paternain and Rico, 2012; Paternain and Sanseviero, 2008), but the public policy literature on the matter is fairly limited (Paternain, 2013: 9, 88). Regarding the specific problematic, Uruguay has been included in larger regional studies regarding small arms traffic (Dreyfus and Rangel Bandeira, 2006), gun proliferation and violence (Dreyfus et al., 2003; Gilgen, 2012; Karp, 2011, 2012, Sanjurjo, 2016a, 2016b), but in-depth studies did not exist until recently. Thus, Evans (2012) has studied civilian possession using a sociological approach, Fleitas and Otamendi (2007) have analyzed the influence of guns in crime and violence indicators, whereas Tenenbaum Ewig (2009), Morás and Trujillo (2015) have attempted to estimate the real scope of the civilian gun arsenals. Finally, the pro-disarmament non-governmental organization IELSUR (2016) has recently published a series of essays that compile much of these findings (Salamano, 2016) and analyze firearm violence from an infant (Mosteiro Vaselli, 2016) and gender (Pandolfi, 2016) perspectives.

Ultimately, the ‘dark figure’ of illegal weapons can only be guessed, but even the lowest estimations suggest that Uruguayans are heavily armed when compared to most countries in the world.

¹⁰³ Uruguay had a total population of 3,341,555 in 2015 (World Bank, 2017).

¹⁰⁴ URUGUAY: Decree-law n° 10.415, February 13, 1943.

¹⁰⁵ URUGUAY: Law n° 19.247, August 27, 2014.

¹⁰⁶ “*Ley de Tenencia Responsable de Armas*” (URUGUAY - Min. Interior, 2014)

¹⁰⁷ URUGUAY: Decree 377/016, December 05, 2016.

Overall, policy studies still seem to be fairly limited in Uruguay, in accordance with the institutionalization of a sub discipline that is yet to be completed (Bentancur and Mancebo, 2013; Rocha, 2012: 104). Gun control policies are not an exception. Legislations have not been overviewed, policy evaluations have not been conducted and the respective policy processes have not been analyzed. Moreover, the RFOL was sanctioned in 2014 and its regulation was only enforced in 2016. Hence, unlike the Brazilian Disarmament Statute of 2003, which went on to receive considerable attention from the scientific community, the Uruguayan RFOL has not been studied in any form. Thus, our attempt to explain its policy formation process has not been attempted so far. Certainly, the lack of related literature compels us to resort to interviews and press documents far more than in the Brazilian case study.

For ease of comparison, this chapter will be structured in the same manner as the previous case study. The first section will present a general overview of Uruguay, placing special emphasis on the public security situation. The second section will present a historical overview of the country's firearm legislation until the recent regulation of the RFOL. The empirical analysis will follow the structure of our theoretical framework, the Multiple Streams Framework (Kingdon, 1995) with modifications proposed by Knaggård (2015, 2016), Zahariadis (2003, 2005), Herweg et al. (2015) and Zohlnhöfer et al. (2016). Each considered variable of each stream will have its own section, and the same applies to the agenda- and decision-coupling processes. The chapter ends with a summary and conclusions.

6.1 Uruguay: Brief overview and public safety situation

Uruguay, officially the Oriental Republic of Uruguay, is situated in the eastern part of the Southern Cone of South America. It borders Argentina to its west and Brazil to its north and east, with the *Río de la Plata* to the south and the Atlantic Ocean to its southeast. Geographically, Uruguay is the second smallest nation in South America after Surinam and is home to an estimated 3,3 million people, the smallest population of all independent countries in the sub-region (World Bank, 2017). The republic is subdivided in 19 departments and 89 municipalities, with more than half of its population -1,9 million- living in the metropolitan area of Montevideo, its capital and largest city.

In 1680, the Portuguese established Colonia del Sacramento in front of today's Argentinian city of Buenos Aires, while Montevideo was founded as a military stronghold in the early 18th century by the Spanish. The competing claims over the region only ended with Uruguay's independence, a process that lengthened between 1811 and 1828, involving violent conflicts against Spain, Portugal, Argentina and Brazil. The first Constitution was adopted in 1830, establishing Uruguay as a unitary and representative republic with a centralized form of government. The country

completed its organization at the end of the 19th century and consolidated its democracy soon afterwards. Its period of splendor would take place during the first half of the 20th century, when Uruguay became known for its high standard of living, advanced social policies and democratic traditions. In a region marked by profound social inequalities and political instability, the ‘Switzerland of America’ seemed to constitute an island of modernity and equality. Nonetheless, economic downturns at the middle of the century led to a phase of social and economic deterioration with severe consequences for its political and democratic institutions. Political upheavals ended in a civic-military dictatorship that lasted between 1973 and 1985. The return to democracy implied the restoration of civil and political liberties and the beginning of a new historic period.

Modern Uruguay is a democratic constitutional republic with a robust state, strong political parties and a highly participative citizenry. As a presidential system, the president is both head of state and head of government. The legislative power is constituted by the General Assembly, composed by the Chamber of Representatives and the Chamber of Senators. The judicial branch is exercised by the Supreme Court, the Bench and Judges nationwide. As firearm control, justice, education, health, security, foreign policy and defense are all administered nationwide, in the form of a unitary state. Additionally, Uruguay’s party system is among the most stable in Latin America and one of the only few with high levels of institutionalization (Buquet, 2016; Chasquetti and Buquet, 2004). The party system is currently characterized by having three dominant parties: the ruling party and leftist coalition *Frente Amplio* (FA) and the ‘traditional’ or ‘founding’ parties: the National Party (center-right, PN, *Blancos*) and the *Colorado* Party (right, PC, *Colorados*). Other relevant political parties for our study are the Independent Party (PI) -the fourth party with parliamentary representation- and the no longer autonomous *Nuevo Espacio* party (NE).

It terms of democratic quality, Uruguay is not only ranked first in the region, but is also at a comparable level to first world countries. For instance, Freedom House (2017) grants it a score of 98/100 regarding political rights and civil liberties, above countries like France, Germany or Spain. Additionally, the country is currently ranked 20th in the world in the Corruption Perceptions Index (Transparency International, 2017), in the World Press Freedom Index (Reporters Without Borders, 2017) and in the Rule of Law Index (World Justice Project, 2016). Regarding development indicators, it is still far away from OECD countries but is nevertheless considered a nation with high human development. Thus, it is currently on place 52 of the Human Development Index¹⁰⁸, with only Argentina and Chile receiving higher scores in Latin America (UNDP, 2015). In this sense, the last decades have been especially fruitful. According to estimations from the World Bank (2017), Uruguay is currently the most equitable country in the region (measured by

¹⁰⁸ The Human Development Index is a summary measure of average achievement in key dimensions of human development: a long and healthy life, being knowledgeable and have a decent standard of living (UNDP, 2015).

the GINI coefficient) and has the highest GDP per capita. The latter quadrupled between 2002 and 2013, as the percentage of inhabitants living under the national poverty line went from 15,4 to 5,7 during the same years (CEPAL, 2014: 96, 124).

Unfortunately, the country tells a very different story when it comes to public security. In line with Brazil and most countries in Latin America, the years of economic prosperity and the improvement of socioeconomic indicators were not able to contain the rise of the most significant forms of delinquency (Aboal et al., 2013; Fleitas, 2015; Morás, 2008; Paternain, 2008, 2012, 2013). In comparison to 1985, robberies with violence (so-called *rapiñas*) increased by 417 percent until 2007 (Paternain, 2008: 20), whereas homicides had increased by 66 percent in 2010 (Paternain, 2012: 59), only to increase again by 44 percent until 2015 (URUGUAY - Min. Interior, 2016). The prison population also grew significantly during that time, going from less than 3.500 inmates in 1992 to almost 10.000 in 2015, conforming the second highest incarceration rate in South America (Rodríguez and Nalbarte, 2008; Walmsley, 2016).

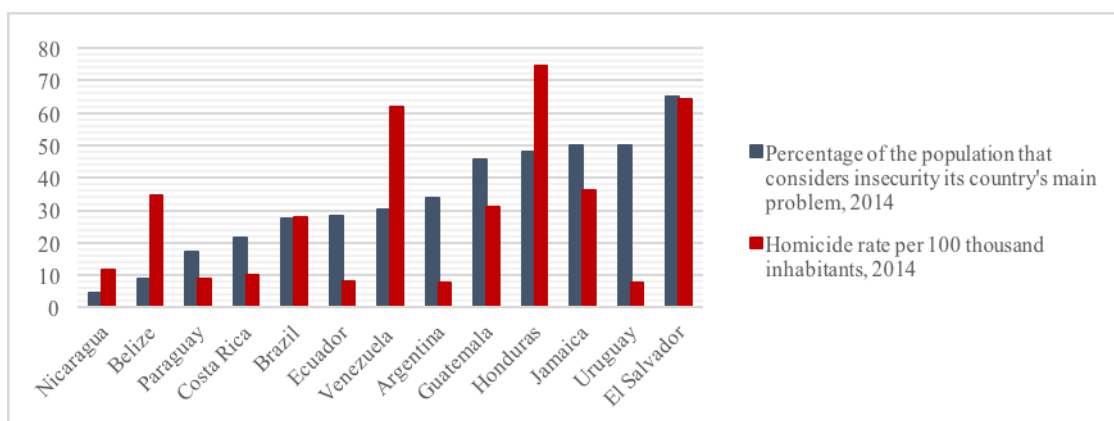
Such a rise in crime seems paradoxical, considering the significant improvement of social indicators. Scholars have found that the most notorious increases coincide with the consequences of the economic crisis of the late 1990s. That is, with periods of high unemployment and negative GDP grow rates (Aboal et al., 2013: 5–7; Fleitas, 2015: 18). Nonetheless, socioeconomic indicators began to improve dramatically in 2004 and crime and violence did not reside, but continued growing steadily. Aboal et al. (2013: 7) see here a hysteresis phenomenon. Accordingly, individuals that participate in criminal activities during an economic recession gain criminal human capital at the expense of legal human capital, which makes their return to legal activities after the economic recovery much more difficult. Besides, the economic crisis was not an isolated incident, but accelerated and deepened a series of much subtler social processes that transpired during the second half of the 20th century. Above all, greater unemployment and job insecurity, the increasing inequality among qualified and non-qualified workers, and the explosive growth of slums in the outskirts of Montevideo. From this perspective, the rise in crime and violence seems to be the final manifestation of a long process of social fragmentation (Katzman et al., 2004). Certainly, a structural transformation for a society that was defined as ‘hyper-integrated’ at the beginning of the 20th century.

As a result -and contrary to common belief-, modern Uruguay does not have low but rather medium levels of crime (Fleitas, 2015: 3). Accordingly, 22 percent of Uruguayans were victims of at least one crime in 2014, a figure that is above the regional average (LAPOP, 2014: 17). Likewise, with 7,6 homicides per every 100 thousand inhabitants, the national homicide rate experienced an important improvement in 2016 after a historical high of 8,5 in 2015 (URUGUAY - PR, 2017). These numbers are certainly small when compared to most countries in the region,

but are high enough to no longer categorize Uruguay as a country with low rates of murder¹⁰⁹. This condition has never applied to suicides, on the other hand, which have been Uruguay's first cause of violent death for many decades (González, 2012). With 17,7 cases per every 100 thousand inhabitants in 2015 (Bello, 2017), the country had one of the highest suicide rates in Latin America, where only Cuba, Suriname and Guyana have similar numbers (WHO, 2016). The higher levels of crime and violence also produce a heavy burden on Uruguay's economy. According to recent estimates, costs of crime on people and property amounted to USD 1.592 million in 2015, a sum that was equivalent to 2,23 percent of the national GDP (Jaitman and Torre, 2017).

The deteriorating security situation has also dramatically changed the attitudes and perceptions of Uruguayans towards each other. Despite having some of the lowest crime rates in the region, Uruguayans define their tolerance to insecurity in relation to their own recent past, not in comparison to their neighbors (Morás, 2008: 74). One sign of this concern is that 65 percent of Uruguayans currently consider insecurity to be the country's main problem, with only minorities choosing other issues related to the economy (16 percent) and education (7 percent) (CIFRA, 2016). Indeed, the association between objective crime indicators and subjective perceptions of crime is not always straightforward (*see Figure 13*), a phenomenon that has been thoroughly analyzed by local sociologists (Bayce, 2010; Filardo, 2010; Morás, 2008, 2010, Paternain, 2012, 2013).

Figure 13: Violent death rates and percentage of the population that considers insecurity its country's main problem, in selected countries of Latin America, 2014



Source: Own elaboration, using data from LAPOP (2014) and UNODC (2017).

*Rates per every 100 thousand inhabitants.

¹⁰⁹ In their study on the uneven distribution of homicide rates in Latin America, Briceño-Leal et al. (2008) categorized Uruguay -along with Argentina, Chile and Cuba- as having low rates of homicide, because its homicide rate was below the 2000 global rate of homicide per 100.000 population (8,8). Applying the same methodology to present figures, Uruguay would have to be categorized as having a medium rate of homicide, since according to the UNODC (2014), the most recent global average stands at 6.2 per every 100 thousand inhabitants.

It is ultimately the subjective fear of crime which leads regular citizens to change their daily attitudes and adopt measures of self-defense. Especially, when it is combined with -and fueled by- distrust in the capacities of public security institutions. Uruguayans have namely also come to resemble their Latin American neighbors in this regard, with only 51 percent of survey respondents being satisfied with police performance, and 41 percent with the government's handling of citizen security (LAPOP, 2014).

In this context, an excessive proliferation of firearms can be troubling. More than their quantity and capacity to produce violence, the lethality of firearms is given by the social circumstances in which guns are embedded (*see chapter 3.1*). As we saw in the previous section, Uruguay has high levels of firearm proliferation and their purchase has increased significantly with rising insecurity (Evans, 2012: 11). Until 2012, most homicides were committed with bladed weapons, but this has also changed. In 2015, 68 percent of homicides were committed with firearms (UNODC, 2014; URUGUAY - Min. Interior, 2016). This is only a speculation that must be analyzed in-depth in further studies, but we believe that the conditions that turn firearm proliferation into a health and security menace were absent during most of Uruguay's modern history. This situation is apparently changing in recent years.

6.2 Historical overview of Uruguay's firearm legislation

The first Uruguayan legislation concerning the use and acquisition of firearms is the Decree-Law n° 10.415¹¹⁰ of 1943, enacted after the dictatorship of Gabriel Terra and during the *de facto* presidency of Alfredo Baldomir (1942-1943). Inasmuch as it creates a specific regulatory framework for the civilian acquisition and use of firearms, it can be considered a pioneer law in the region. Oddly enough, the law stood in place for over seventy years and only changed with the adoption of the 'Responsible Firearm Ownership Law' (RFOL)¹¹¹ of 2014. This does not mean that the regulative framework did not undergo important transformations during that time, however. A large number of laws, decrees and memos were issued to complement its legal pitfalls and keep it in line with international agreements. The atomization and dispersion of these documents make it impossible to analyze them all here.¹¹² This section will only focus on those pieces of legislation that were not repealed and which regulated the civilian use and possession of firearms.

¹¹⁰ URUGUAY: Decree-law n° 10.415, February 13, 1943.

¹¹¹ URUGUAY: Law n° 19.247, August 27, 2014.

¹¹² For a full list and compilation of all laws, decrees, memos and legal frameworks concerning firearms, ammunitions, explosives and other related material, see Brufau Clake (2005).

The 1943 Decree-Law n° 10.415¹¹³ and its regulatory Decree n° 2605/943¹¹⁴ were primarily focused on the regulation of explosives. Firearms and ammunition were considered in a much smaller number of articles. Despite the minor role, their regulation was quite impressive for the legislation of the time. The biggest emphasis was put on the importation, re-exportation and general transfer of weapons and ammunition¹¹⁵, which is to be expected in a country that hardly ever produced these kinds of goods.¹¹⁶ The civilian acquisition of firearms was also addressed, laying the foundations of the institutional layout that remains in effect until today.

In this sense, all firearm-related activities fell under the jurisdiction of the Ministry of National Defense, which largely acted by means of the Army's Material and Weapons Service (SMA, for its Spanish initials). Moreover, an Arms Possession Permit (APA) was introduced for each civilian weapon owned or acquired, except for those belonging to hunters and sport shooters.¹¹⁷ APAs were issued by the SMA to nationals and foreigners, for which the first only needed to present their Civic Credential and foreigners presented a Police Identity Card.¹¹⁸ The possession of a firearm without an APA might have been subject to a monetary sanction, but was not a felony in itself.¹¹⁹ Finally, the SMA would pass a monthly record of all new APAs to national police headquarters, so the police could do its control and oversight role, sanctioning owners that did not had a permit.¹²⁰

As discussed at the beginning of this chapter, the introduction of the APA implied the establishment of an official National Firearm Registry. Because this was the first registration system of the kind in the region and remains operational until today, local experts suggest that the current Uruguayan registry is more robust and comprehensive than usual (Fleitas and Otamendi, 2007: 97) and would include a higher percentage of firearms in circulation (Evans, 2012: 8–7; Morás and Trujillo, 2015: 187–190). Its early establishment could have responded to the institutional crisis of the time, which led to the so-called ‘good *coup d’état*’ by President Baldomir in 1942. In this context, the *de facto* government might have had a special interest in establishing how many firearms were in its territory and who they belonged to. On the one hand, to avoid armed conflicts and uprisings, which had been very frequent in the country's short history. On the other, in case the population should have to be invoked to defend the nation from foreign threats with much larger armies.

¹¹³ URUGUAY: Decree-law n° 10.415, February 13, 1943.

¹¹⁴ URUGUAY: Decree n° 2605/943, October 07, 1943.

¹¹⁵ *Ib.*: Title VI.

¹¹⁶ The only venture of this kind was the ‘First Uruguayan Firearm Factory’ of the Brothers Celmi, of Italian origin. This factory produced various shotgun models and semiautomatic pistols. Its establishment in Uruguay in the 1940s motivated the Decree n° 6.124/945 of December 21, 1945, which regulated its specific activities. The Decree n° 195/995 of May 30, 1995, was also aimed at the regulation of a possible small arms production.

¹¹⁷ URUGUAY: Decree-law n° 10.415: Art. 16.

¹¹⁸ URUGUAY: Decree n° 2605/943: Art. 205 - 212.

¹¹⁹ URUGUAY: Decree-law n° 10.415: Art. 18.

¹²⁰ URUGUAY: Decree n° 2605/943: Art. 212.

In any case, the Decree-Law remained more or less unchanged for over a quarter century, with the exception of the Decree n° 24.229¹²¹ of 1959, which regulated the importation of loose weapon parts and components. New measures were adopted with the objective of further restricting the access to firearms at the end of the 1960s. The Decree n° 252¹²² of 1968 modified the original regulatory Decree n° 2605/943¹²³, so that the APA would include more information on both weapons and owners. Hence, the permit would first include the owner's name, address, Civic Credential or Police Identity Card, the date of the permit's issue, and also the weapon's type, brand, system, factory, fabrication number, caliber and name of salesman.¹²⁴ The same year, Decree n° 548/968¹²⁵ established that even weapons that took part in auctions could not be sold without the intervention of the SMA. Gun collectors were mentioned for the first time in 1969 by the Decree n° 465/969¹²⁶, which regulated the conditions under which these actors had to store their weapons. It also ruled that collectors and sport shooters had to register their firearms with the SMA, bringing their legal obligations closer to those of common users. Also in 1969, the Decree n° 550/969¹²⁷ regulated the import of firearms with more precision.

In 1970, the Decree n° 652/970¹²⁸ brought major changes to the regulation. First, it introduced the License for the Acquisition and Possession of Firearms¹²⁹ (THATA, for its Spanish initials), which became a mandatory requisite for requesting an APA, as well as for owning or acquiring any type of firearm. The THATA had a renewable validity period of five years and the conditions for obtaining it were to be older than 18 years old and present a valid Civic Credential, as well as a certificate showing clean judicial records. Political authorities and security personnel were excepted from this requirement. The second change was related to the carrying of firearms outside one's residence, for which civilians would have to apply for a special permit to the National Police.¹³⁰ Civilians found carrying a firearm without such a permit incurred in an administrative offence. These permits had a maximum validity period of one year and should only be granted due to justified reasons.¹³¹

Furthermore, the issue and registry of THATA fell under the jurisdiction of the Ministry of Interior and the National Police. This became a crucial aspect of Uruguayan gun control policies, because it established a cross check system between the Ministry of Interior and the Ministry of

¹²¹ URUGUAY: Decree n° 24.229/959, April 02, 1959.

¹²² URUGUAY: Decree n° 252/968, April 16, 1968.

¹²³ URUGUAY: Decree n° 2605/943, October 07, 1943.

¹²⁴ URUGUAY: Decree n° 252/968: Art. 1.

¹²⁵ URUGUAY: Decree n° 548/968, September 10, 1968.

¹²⁶ URUGUAY: Decree n° 365/969, July 31, 1969.

¹²⁷ URUGUAY: Decree n° 550/969, November 04, 1969.

¹²⁸ URUGUAY: Decree n° 652/970, December 22, 1970.

¹²⁹ *Ib.*: Ch. 1.

¹³⁰ *Ib.*: Ch. 2.

¹³¹ *Ib.*: Art. 17.

Defense, as well as between the National Police and the Army's SMA.¹³² The logic underlying it was that no institution should monopolize such sensitive information. Hence, the National Police had the information regarding gun owners, while the SMA kept a registry of the actual guns in circulation. To function properly, both institutions had to share their records periodically and cooperate with each other. And while the cross-check system can be a relatively good mechanism, it also depicted a jurisdictional turf between Ministries for the control of this area, a conflict that is still present today (Búsqueda, 2016; El Observador, 2016b).

As of the end of the 1980s, regulations seem to get more stringent. This may respond to the initial rises in crime, as well as to the disarmament discourse that the small arms movement (SAM) was starting to promote at the international level (*see chapter 3*). In any case, the Decree n° 17/987¹³³ of 1987 dramatically changed the situation of firearm collectors, as it defined their legal figure for the first time and increased their formal obligations. From then on, collectors had to apply to the SMA for a collector's ID, which had a renewable one year validity period and for which they had to meet a series of requirements that were much stricter than the normal THATA. The greater demand for firearm control was also noticeable in the Law 16.145¹³⁴ of 1990, which modified the directives of the 1978 Decree n° 311/978¹³⁵ regarding the auction of seized firearms that were still functional. The new Law cancelled the public auction of firearms and mandated that former owners had six years to request their seized firearms. After that time, if such weapons had no historic value and were of no use to the Army, then they had to be destroyed.¹³⁶

The legislative changes that took place at the end of the 1990s and beginning of the 2000s followed the same pattern. The 1997 Decree n° 406/997¹³⁷ limited the validity period of the APAs to ten years. This meant that firearms with expired APAs would become irregular, unless their owner applied for a renewal and paid the corresponding fees. Likewise, the Decree n° 238/999¹³⁸ of 1999 got rid of all exceptions regarding the need to be in possession of a THATA to own or acquire firearms. This included political authorities and security personnel, which were later favored by the Law n° 17.468¹³⁹ of 2002 that exonerated all senior officials from the Ministries of Defense and Interior from the corresponding fees.

Also in 2002, the Decree n° 231/002¹⁴⁰ raised some requirements for obtaining a THATA and for carrying firearms, while alleviating others. On the one hand, applicants now had to present proof of employment or regular income, a certificate showing clean judicial and penal records, a

¹³² *Ib.*: Ch. 3.

¹³³ URUGUAY: Decree n° 17/987, January 20, 1987.

¹³⁴ URUGUAY: Law n° 16.145, October 09, 1990.

¹³⁵ URUGUAY: Decree n° 311/978, June 06, 1978.

¹³⁶ *Ib.*: Art. 2.

¹³⁷ URUGUAY: Decree n° 406/997, October 30, 1997.

¹³⁸ URUGUAY: Decree n° 238/999, July 30, 1999.

¹³⁹ URUGUAY: Law n° 17.468, April 03, 2002.

¹⁴⁰ URUGUAY: Decree 231/002, June 18, 2002.

psychophysical fitness certificate issued by a professional authorized by the Ministry of Health, and a certificate of proficiency in basic safety and handling of firearms¹⁴¹. On the other hand, the applicant's minimum legal age was lowered from 21 to 18, as the validity periods of the THATA and the carrying permit was extended, to five and two years, respectively. At last, the Law n° 18.087¹⁴² of 2007 modified the Law 16.145¹⁴³ of 1990, so that seized firearms could not be requested by their owners after being stored for more than three years in the SMA deposit.

The legislative changes presented so far allow to perceive a clear change in the larger intentions of the legislator. While the objective of the Decree-Law n° 10.415 of 1943 was for the Ministry of Defense to keep a track on civilian arsenals, the laws and decrees that were approved as of the late 1980s also conceived the need to keep firearms off the wrong hands and promote a more responsible use. To this must be added a series of memorandums –mainly from the SMA– regulating the operating rules of armories, demanding further requirements from collectors to secure their arsenals, etc. (cf.: Brufau Clake, 2005: 228–262). In this case, the greater severity over time is also notorious.

Conversely, so far, the irregular or illegal manufacture, possession, carry, purchase, rent or sale of firearms only constituted an administrative offence, which carried administrative sanctions, fines and confiscations. The Uruguayan Penal Code¹⁴⁴ only typified as a felony the possession and carry of modified weapons, or of weapons which had erased or altered trademarks. Likewise, the only references to the international traffic of firearms are in the national laws that approve international instruments and these do not contemplate any criminal sanctions. Thus, the 1998 *Southern Cone Presidential Declaration on Combating the Illicit Manufacture and Trafficking in Firearms* leads to the Uruguayan legislative involvement in the *MERCOSUR Joint Register Mechanism*; The Law n° 17.300¹⁴⁵ of 2001 approves CIFTA (OEA, 1997); the Decree n° 12/005 of 2005 approves the *Memorandum of Understanding on the manufacture and illicit trafficking of firearms* of (MERCOSUR, 2004); the Law n° 18.233¹⁴⁶ of 2008 approves the Firearms Protocol (UN, 2001); and the Law n° 19.225¹⁴⁷ of 2014 approves the ATT (UN, 2014).

On August 27, 2014, President Mujica enacted the Law n° 19.247¹⁴⁸ of Possession, Carry, Commercialization and Traffic of Firearms, Ammunition, Explosives and Other Related Materials. Its regulatory Decree n° 377/016¹⁴⁹ was sanctioned over two years later, on December

¹⁴¹ Ib.: Art. 4.

¹⁴² URUGUAY: Law n° 18.087, January 16, 2007.

¹⁴³ URUGUAY: Law n° 16.145, October 09, 1990.

¹⁴⁴ URUGUAY: Penal Code: Art. 152-bis.

¹⁴⁵ URUGUAY: Law n° 17.300, March 07, 2001.

¹⁴⁶ URUGUAY: Law n° 18.233, January 11, 2008.

¹⁴⁷ URUGUAY: Law n° 19.225, June 22, 2014.

¹⁴⁸ URUGUAY: Law n° 19.247, August 27, 2014.

¹⁴⁹ URUGUAY: Decree n° 377/016, December 05, 2016.

05, 2016. Unlike its antecessors, the so-called ‘Responsible Firearm Ownership Law’¹⁵⁰ (RFOL) is a framework legislation.¹⁵¹ Its first objective is namely to assemble and harmonize all the loose laws, decrees and memorandums that were approved in recent decades. In this sense, it cannot be considered a disruptive policy change. However, the Macro Law does incorporate important novelties as well, since it changes the institutional framework underlying the national regulation of firearms and delivers a new turn on the screw towards a tighter control of its civilian possession and use. The result is an incremental but progressive and comprehensive piece of legislation that is part of a wider approach to citizen security. In this sense, beyond promoting the further registration and responsible use of firearms, the RFOL also seems to be focused on the need to prevent their use in crime and counter their general proliferation.

As of the entry into force of the RFOL, civilians are not permitted to own more than three firearms, unless they can justify a positive necessity to do so.¹⁵² This limitation is also valid for former police and army officials and personnel.¹⁵³ Moreover, if a civilian firearm is lost or stolen, it still counts as one of the three allowed weapons that its former owner is allowed to possess, without the possibility of acquiring a fourth.¹⁵⁴ Beyond prohibiting crafted weapons¹⁵⁵, the Law places significant restrictions on the type of small arms that civilians can import, acquire or possess, including a large variety of types and calibers that former regulations did not consider.¹⁵⁶ Those who own such weapons may hand them over to the SMA for their destruction or may keep them deactivated, that is, in a form that makes them unusable.¹⁵⁷ Collectors are not excluded from these guidelines and must hamper the prohibited weapons that conform their collection.¹⁵⁸ After a 12-months long regularization period¹⁵⁹, the possession of unauthorized weapons will constitute an administrative offence and will carry a monetary sanction.¹⁶⁰

The requirements for obtaining the THATA –which now has a three-years validity period- are also raised considerably. The Law’s Regulatory Decree is thorough and determines how the medical evaluation, the psychological evaluation and the course in handling of firearms should be conducted.¹⁶¹ The medical requirements are especially strict. For example, applicants with present or past cardiac problems are disqualified, as well as those who are color-blind or deaf.

¹⁵⁰ “*Ley de Tenencia Responsable de Armas*” (URUGUAY - Ministerio del Interior, 2014)

¹⁵¹ The Regulatory Decree (n° 377/016) is much more comprehensive and thorough than the actual Law (n° 19.247). While the Law is two pages long and consists of 15 articles, its regulatory Decree is forty pages long and is made up of 65 articles. When we refer to the Law in this chapter, we might be referring to its Regulatory Decree as well. In each case, the references to footnotes will allude to the specific legislative document.

¹⁵² URUGUAY: Decree n° 377/016: Art. 24.

¹⁵³ *Ib.*: 31.

¹⁵⁴ *Ib.*: 25.

¹⁵⁵ *Ib.*: Art. 16.

¹⁵⁶ *Ib.*: Art. 2-18.

¹⁵⁷ *Ib.*: Art. 19.

¹⁵⁸ *Ib.*: Art. 49.

¹⁵⁹ URUGUAY: Law n° 19.247, August 27, 2014: Art. 6.

¹⁶⁰ *Ib.*: Art. 10.

¹⁶¹ URUGUAY: Decree n° 377/016: Art. 24: Art. 58-60.

The same is true for the psychological evaluation, in which stress-related emotions or a low intellectual level can be cause for exclusion. Moreover, the carrying of a single firearm is still allowed, but with a special permit that depends on a justified necessity of protection of the interested party or of its dependents. It is not allowed to carry firearms in public events, however, such as electoral events, assemblies, demonstrations, amusement parks, nor in bars and nightclubs, among others.¹⁶² Lastly, carrying firearms without the special permit is no longer an administrative offence, but an actual criminal offence that carries a three to eighteen-months prison sentence.

A further ambition of the law is to create a ballistic registry of all possible firearms in the national territory.¹⁶³ For this purpose, every sold or transferred weapon must be sent to a scientific agency of the National Police, which will conduct the ballistic registry of the specific firearm in relation to its new owner. The same should occur when a gun owner renews an APA at the SMA or requests it for the first time. This new element envisages a larger and crucial shift in the institutional framework of Uruguayan gun control.¹⁶⁴ Namely, the RFOL creates a National Firearms Control Office (NFCO) under jurisdiction of the National Police and the Ministry of Interior, to which the Army's SMA must send daily reports with all information regarding APAs and weapons that have been ceded voluntarily or have been destroyed. Even armories must send all information regarding sold firearms directly to the NFCO. In practice, this means that the RFOL concentrates all information regarding firearms and owners in the National Police, thus eliminating the cross check system between the Ministries of Interior and Defense that was in place since 1970.¹⁶⁵

Finally, the internal and international traffic of firearms, ammunition, explosives and other related material is also considered, in line with the international instruments approved in recent decades. The first can carry a prison sentence of up to six years, while the second of up to twelve years. In both cases, the sanction is increased by one third if the involved is part of a criminal organization.¹⁶⁶ Additionally, the law also considers the voluntary surrender of firearms, but does not frame this possibility in a larger weapon collection program. Thus, it does not provide incentives nor assures the anonymity of the deliverer.¹⁶⁷

Since the Law's Regulatory Decree was only enacted in December of 2016, it is too early to evaluate its impact. However, some of its premises call into question its technical feasibility. For instance, its foreseen deadlines suppose that the permits for all collector firearms must be renewed

¹⁶² *Ib.*: Art. 31-47.

¹⁶³ *Ib.*: Art. 51.

¹⁶⁴ *Ib.*: Art. 53-55.

¹⁶⁵ URUGUAY: Decree n° 652/970, December 22, 1970: Ch. 3.

¹⁶⁶ URUGUAY: Law n° 19.247: Art. 8-9.

¹⁶⁷ URUGUAY: Decree n° 377/016: Art. 56.

yearly, while regular APAs must be renewed every three years. This means that over 600 thousand firearms should be included in the ballistic registry within three years. The problem is that each ballistic registry takes considerable time and the SMA is only equipped with a handful of operators. Furthermore, the depth of the changes it supposes have led different social groups to call its enactment into question and impugn the Regulatory Decree (Baldomir, 2016). Criticism stems largely from firearm importers and sellers, collectors, sport shooters and general firearm enthusiasts, who believe that the RFOL is excessively strict and hurts their right to own and use firearms for legitimate purposes.

These actors see a number of aspects as especially problematic. The first is the limitation of owning no more than three firearms. Critics consider it not only unwarranted but misguided, since different small arms serve for different purposes and there are practical reasons for using more than three types of firearms. Besides, there was no previous limit and it is very common for users to already possess a much higher number of weapons. They also consider it draconian and unfair that lost or stolen firearms continue counting as part of the gun quota that each civilian can own. Another problem lies in the types of small arms that were allowed before and now the RFOL prohibits. Firearms are expensive items and their deactivation or destruction supposes a major financial loss for sellers, owners and collectors. In the case of the latter, this could mean having to hamper dozens, hundreds or thousands of historical firearms, leaving them worthless. Finally, the new medical requirements for obtaining the THATA are a major cause of worry. Critics argue that if the Law's instructions are strictly followed, then only young and healthy people would be able to pass the medical evaluation. Ultimately, only time will tell if the RFOL remains unchanged or not.

6.3 Empirical Analysis

As in the former case study, this section applies an extended version of the MSF to explain how the firearm control issue entered the Uruguayan agenda in the 2000s, as well as how the policy changes that followed occurred. The time-frame comprises all recent political endeavors to change the main legal framework of 1943¹⁶⁸, up to the approval of the RFOL and its Regulatory Decree. That is, from the end of the 1990s until 2016, during the presidencies of Julio María Sanguinetti (1995-2000), Jorge Batlle (2000-2005), Tabaré Vázquez (2005-2010), José Mujica (2010-2015) and Vázquez again (2015-current time).

¹⁶⁸ URUGUAY: Decree-law n° 10.415, February 13, 1943.

6.3.1 The problem stream: Catching up with the neighbors

The MSF's original problem stream is composed of problem indicators, feedbacks from the policy in place and focusing events (Kingdon, 1995). We also want to consider the additional variables 'problem load', which is the number of difficult problems occupying the attention of policy makers (Baumgartner et al., 2011: 953; Zahariadis, 2003: 154), and 'knowledge-brokers', which are actors that frame conditions as public problems and work for their recognition (Knaggård, 2015, 2016).

Indicators

Several indicators were important for the policy process. We will focus on the rates of suicide, crime and homicide, as well as on the number of firearms in circulation.

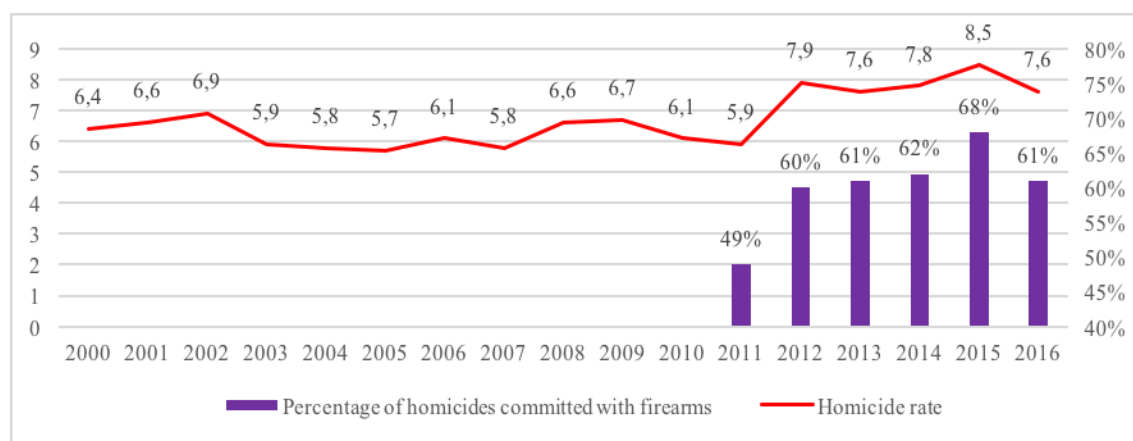
To begin with, suicides represent a structural phenomenon in Uruguay (González, 2012), as suicide rates were already high at the beginning of the 20th century and have stayed relatively stable through the years. It was after the return to democracy in 1985 that rates began to increase systematically, to the point of becoming the country's first cause of violent death. The historic high was in 2002, during the worst moments of the economic crisis, when there were 20,9 suicides per every 100 thousand inhabitants. The numbers declined in the following years, but the general upward trend continued. Thus, while in 2014 Latin America had an average suicide rate of 4,9, Uruguay's rate reached 15,3 (Fleitas et al., 2014). The country also has the highest percentage of firearm suicides in the region (30 percent) (Ib.: 2014: 19), an indicator that is often used by scholars as a proxy to determine levels of gun proliferation (Karp, 2007: 41; USA: NRC, 2005: 41).

Moreover, as pointed out at the beginning of this chapter, modern Uruguay has not low but rather medium levels of crime (Fleitas, 2015: 3), which resulted from its slow but steady rise during the last three decades (Aboal et al., 2013; Fleitas, 2015; Morás, 2008; Paternain, 2008, 2012, 2013). While most forms of crime increased significantly, homicide numbers developed at a somewhat different pace. Thus, the national homicide rate remained relatively stable between 1989 and 2011, varying along 5,5 and 7,5 homicides per every 100 thousand inhabitants (Donnangelo, 2006, 2008; Fleitas, 2015; UNODC, 2014). This changed in 2011, however, when homicides increased by 34 percent in one year, leading to a new 44 percent increase until 2015 (Fleitas, 2015; URUGUAY - Min. Interior, 2016). In doing so, Uruguay distanced itself from the few other countries in the region with low rates of homicide, a condition that it historically shared with Argentina, Chile and Cuba (Briceño-León et al., 2008).

The surge in homicides was the result of an important increase in firearm homicides (*Figure 14*), which went from representing 49 percent of all homicides in 2011 to 60 percent in 2012

(URUGUAY - Min. Interior, 2014, 2016). As in Brazil and other countries in the region, such an increase is associated with the greater presence of drug trafficking and organized criminal groups (UNODC, 2011, 2012; World Bank, 2011). Indeed, armed disputes between drug dealers and gang members have become a frequent occurrence in the outskirts of Montevideo, as these groups favor guns to settle their differences. Minor conflicts might entail a shot in the arm or leg, while bigger problems are resolved by murder, known locally as '*ajustes de cuentas*' (Draper, 2014).

Figure 14: National homicide rates and percentage of homicides committed with firearms, 1990-2016



Source: Own elaboration using data from UNODC (2014) and URUGUAY - Min. Interior (2014, 2016).

*Rate per every 100 thousand inhabitants.

** The percentage of homicides committed with firearms is only measured since 2011.

Uruguay also used to have a much higher percentage of female homicide victims than most countries in the region. Whereas, on average, 15,2 percent of all murder victims in South America were women in 2008, Uruguay's share was at 30,1 percent, the highest in the continent (UNODC, 2011). But as homicide numbers increased in recent years, the share of men and women changed as well. By 2011, the percentage of female murder victims had fallen to 20,6 percent (UNODC, 2014) and kept on falling until 2015, when it represented only 15,8 percent (URUGUAY - Min. Interior, 2016). This does not mean that Uruguayan women are safer than before, but that the number of male victims increased at a higher pace. Likewise, statistics from 2012 show that one third of female homicides were committed with firearms and that 39 percent of all victims were killed by their current or former partners (Pandolfi, 2016: 174).

Finally, it is worth noting that it is unclear to what extent Uruguayans were aware of the country's high level of firearm proliferation. The country had a strong firearm culture and security experts assumed that proliferation levels were relatively high in the regional comparison (Dreyfus et al., 2003: 54). Nonetheless, it was only in 2007 when the Small Arms Survey published its report on civilian firearm ownership and defined Uruguay as the 9th most armed in the world (Karp, 2007). These estimations were eventually picked up by local and international media (e.g.: Martínez,

2014), as well as by authorities, policy entrepreneurs and academics (e.g.: Morás and Trujillo, 2015).

Policy feedback

The laws, decrees and memos that complemented the Decree-Law n° 10.415¹⁶⁹ resulted in a relatively appropriate gun control legislation. It allowed a comprehensive firearm registry and a cross-check system between the Ministries of Interior and Defense that was considered an example by many experts in the region. Nevertheless, many actors in the security community considered it deficient for various reasons. First and foremost, because the laws, decrees and memos operated in a fragmentary manner, which led to the general belief that a new framework law was required (Evans, 2012: 10; Salamano et al., 2013).

Secondly, the institutional framework and the cross-check system were considered good solutions to a jurisdictional turf among the Ministries of Interior and Defense. However, the Ministry of Interior was unsatisfied with the institutional communication between the National Police and the Army's SMA, and blamed the latter for being too bureaucratic and uncooperative. Accordingly, the National Police was in the constant need to assess if seized small arms were legally registered and under what owner, but that information could take weeks to arrive and was therefore only rarely asked. Additionally, disarmament and firearm control advocates believed that the current institutional framework obstructed transparency and lacked civilian oversight (Dreyfus et al., 2003: 56–57).

Thirdly, the legal requirements and conditions for acquiring firearms were generally considered appropriate, but were at the same time criticized for opposite reasons. Collectors, shooters, hunters -whose legal figure was not contemplated- and gun enthusiasts thought that some requirements were excessive, such as the need to prove employment or regular income. Conversely, other actors believed that the requirements were insufficient and that the legislation should specify the conditions that rendered a person competent to pass the psychophysical evaluation, which remained at the discretion of each doctor and psychologist.

Fourthly, the sanctions regime was generally considered as light and inconsistent. The irregular or illegal manufacture, possession, carry, purchase, rent or sale of firearms did not constitute a crime, but was just considered an administrative offence. Thus, it only carried administrative sanctions, fines and confiscations. The same applied to those who fired a gun in a populated or public area. The Uruguayan Penal Code¹⁷⁰ only typified as a felony the possession and carry of modified weapons, or which had erased or altered trademarks. Likewise, the traffic of firearms

¹⁶⁹ URUGUAY: Decree-law n° 10.415, February 13, 1943.

¹⁷⁰ URUGUAY: Penal Code: Art. 152-bis.

was legally defined by the ratification and approval of international instruments, but did not contemplate any sort of legal penalties beyond those that apply to the illegal traffic of other common goods.

If the indulgence of the sanctions regime facilitated firearm traffic, it did not help either that the prevailing legislation did not put any limit on the number of firearms that civilians could acquire. Indeed, as long as the paperwork and permits were done properly, any citizen with a THATA could legally acquire hundreds of firearms. And except in the case of collectors, the SMA did not have the legal authority to inspect their whereabouts (Peralta, 2014). Legal limits did exist for the civilian acquisition of ammunition¹⁷¹, but these were never really put into practice (Fleitas and Otamendi, 2007: 102).

Finally, it was a common belief that anyone could acquire a firearm illegally if he really wanted to. The problem went beyond the selling of second-hand firearms in street fairs and among civilians, because several criminal investigations had proven the existence of a black market with the involvement of police and army personnel. Time and again, police officers and soldiers were found trafficking surplus weapons to criminals, sometimes even assault rifles that were brought back by members of the Armed Forces who participated in UN Peace Operations (Dreyfus et al., 2003: 58). This kind of traffic is not just internal. As discussed in *chapter 3.3.2*, the disharmonies in the gun control legislation of neighboring countries facilitates international firearm smuggling and traffic. In this case, criminal and academic investigations demonstrated that it is a common practice for members of Brazilian criminal groups to come to Uruguay and acquire firearms that are not authorized to be sold to civilians in Brazil (Barrenche, 2015; Dreyfus and Rangel Bandeira, 2006).

Focusing events

To a certain extent, the ‘Switzerland of America’ -that peaceful island of modernity and equality that existed during many decades of the 20th century- is still a vivid memory in the public imagination of many Uruguayans. Accustomed to low-intensity crime, the occurrence of especially violent episodes still attracts the attention of the public and the media with ease. However, as time goes by and such episodes turn increasingly common, Uruguayans become used to seeing acts of violence in the local news that would have been unheard of only a few decades ago. As a result, the interviewees could easily identify a few episodes that fixed the attention of the public and the media to the specific gun problematic, all of them fairly recent and within a time span of four years (2009-2013).

¹⁷¹ URUGUAY: Regulatory Decree n° 2605/943, October 07, 1943: Title XI.

The first was the so-called ‘Feldman case’ (República.com.uy, 2014). On October 31, 2009, a fire brigade responded to a house fire in Montevideo and found a large arsenal of hundreds of pistols, revolvers, rifles, shotguns and grenades, among other weapons and explosives. The owner of the house was the economist Saúl Feldman and when police officers went to question him about the arsenal, he shot one of them dead and entrenched himself in his home. The armed encounter between the special police forces and the shooter lasted for almost twenty hours and was followed live by the public and the media. The shooter, who eventually killed himself before the police could arrest him, was not a registered collector nor had any previous criminal records. The authorities were never able to explain how he managed to assemble such an arsenal nor why he had responded with violence. The case caused a media stir and drew attention to the lack of state control regarding firearms, as well as to the ease with which civilians could acquire an endless number of weapons.

A further case that drew public and media attention occurred in November of 2011, after a man inadvertently shot his daughter dead in their home during a break-in. The family had been recently victimized in an armed robbery, heard noises and thought a burglar had entered their house again. Although the accidental shooting of a family member happens relatively often, the case shocked public opinion because it involved an upper class family and took place in one of the wealthiest neighborhoods in the country. The incident caused a wave of indignation against the government’s lack of responses to insecurity, but its dramatic outcome was also frequently alluded by authorities and disarmament advocates to warn about the dangers of acquiring firearms for self-defense (El Observador, 2011).

A third focusing event was the so-called ‘La Pasiva crime’, which occurred in Montevideo on May 12, 2012. In this occasion, a group of armed minors entered a franchise of the restaurant ‘*La Pasiva*’ to rob the place and shot one of the employees at pointblank without saying a word. The recordings of the security cameras showed the murder from up close and were broadcasted dozens of times on national television during the next days. The episode caused social and political upheaval and worked as a turning point for Mujica’s government security policies (El Observador, 2016a).

Finally, there were several criminal cases in which large numbers of small arms disappeared from police and army headquarters. On June 2012, for instance, the Interior Ministry presented criminal charges against several agents and officials from the police department of *Treinta y Tres*, from where a large number of firearms had gone missing over time. The case broke after the Brazilian police had confiscated many weapons from drug traffickers and traced them back to that particular police station. The criminal investigation proved that these police agents had trafficked over 200 firearms to Brazilian drug trafficking groups. However, none of the implicated actors received criminal charges, because the existing legislation defined the international traffic of firearms but

did not establish any penal sanctions (Barrenche, 2015). And while this was not an isolated incident, it caused a stir due to the international implications and to the stark contrast between the legislations of both countries.

Problem load

Policy entrepreneurs began their activities in the early 2000s, while the RFOL was only approved in 2014. In-between, Uruguayan policy makers had to deal with quite a number of pressing conditions and problems. It is hard to assess to what extent their limited attention span had an influence on the timing of the RFOL (Baumgartner et al., 2011: 953; Zahariadis, 2003: 154). To operationalize the load of problems, we resort to the classical ‘most important problem’ question and to those issues that were identified as the most relevant in the face of presidential elections.

In this regard, Uruguay experienced the worst economic crisis¹⁷² of its history during the end of the 1990s and beginning of the 2000s (Banco Mundial, 2007; Bucheli and Furtado, 2005). Even though Sanguinetti’s second presidential term (1995-2000) had ended with a troubling recession, the true extent of the economic crisis took the entire political system by surprise. Throughout those years, the country submerged in a state of shock that deeply affected its political, social, economic and cultural structures. By the end of 2002, Uruguayan banks had experienced a massive decapitalization, losing over 40 percent of their deposits and savings. Unemployment went from 10 to 17,5 percent, as the fall in the purchasing power of wages reached 19,5 percent. Suicides shot up to unprecedented levels (González, 2012).

It would take many wrong turns from Battle’s government (2000-2005) before it was able to correct the course (Banco Mundial, 2007). In 2002, it finally managed to reach an agreement with USA’s Department of the Treasury and the International Monetary Fund (IMF), so that the economy was growing again by the end of 2003. By 2007 –already under Vázquez’ government– the economy reached pre-crisis levels and would continue growing at great shape until 2013. Left behind was a crisis of historic proportions, during which the national GDP had contracted by 53

¹⁷² The origin of the economic crisis can be found in a series of subsequent exogenous causes that the Uruguayan financial system did not anticipate and was ill prepared to handle (Banco Mundial, 2007; Bucheli and Furtado, 2005). From the outset, Uruguay was going through an adverse economic situation that led to an economic recession in 1998. In January of 1999, the Brazilian economic crisis erupted with a 35 percent drop in the value of its currency (*see chapter 5.3.1-problem load*). At the same time, oil prices and international interest rates increased, while the international prices for several exportable goods dropped (meat, wool, rice, among others). This was accompanied by a widespread period of drought with a heavy impact on the agricultural and energy sectors, as well as by an outbreak of foot-and-mouth disease at the beginning of 2001 that implied the closure of various exportable markets. Finally, the eruption of the Argentinian financial crisis at the end of that year meant the massive decapitalization of Uruguayan banks, plunging the country into the worst economic crisis of its history.

percent (World Bank, 2017) and close to 100 thousand Uruguayans had left the country (1998-2003).

Understandably, poverty, unemployment and the general economy fixed public concerns for a long time. The crisis significantly increased most forms of delinquency, which continued to grow despite the following years of economic prosperity (Aboal et al., 2013). Hence, as economic growth reduced unemployment and poverty, crime and insecurity grew higher among the public's worries. In 2009 -and for the first time since the return to democracy-, public security was at the center of a presidential campaign (Paternain, 2014: 10). It was also that year that crime and insecurity relegated unemployment and the economy to a second place in the most pressing problems for the public (Paternain, 2013: 18). The concern for the first would not stop rising until the present, when 65 percent of Uruguayans consider insecurity to be the country's main problem (CIFRA, 2016).

Knowledge-brokers

Knaggård (2015, 2016) defines 'knowledge-brokers' as actor who frame conditions as political problems, without necessarily having the intention of coupling them to specific policy alternatives. There were not many actors of this kind in the Uruguayan case study.

Both in the literature and among all interviewees, the unanimous opinion is that the first person to publicly raise the issue of firearm proliferation in Uruguay was the current Senator Daisy Tourné of the *Frente Amplio*. Asked about it in the interview, Senator Tourné indicated that she thought about the subject for the first time around the year 2000, when she was still a congresswoman and a suicide expert gave a speech in the Lower Chamber. The country had been experiencing a sustained increase in suicides over the past fifteen years (González, 2012) and the positive correlation between firearm proliferation and suicides caught her attention.

Her interest eventually led to her individual involvement with the SAM, the international movement that tried to securitize (Buzan et al., 1998) small arms by imposing a narrative that associated guns with high levels of armed violence (Álvarez Velasco, 2016; Cooper, 2011; Cukier and Sidel, 2006; DerGhoughassian, 2011; Grillot et al., 2006; Hill, 2006). Tourné framed the issue from a public health perspective, according to which the proliferation of firearms facilitated fatal accidents, suicides, and family and gender violence. Nonetheless, the Senator was already a policy-maker by that time and would become the most notorious policy entrepreneur in the process. Therefore, although she played a notorious role in the problem stream, it would be difficult to argue that her framing did not entail possible courses of action since the beginning.

On the other hand, she was joined in her framing efforts by a small number of activists from two NGOs, the Association to Fight for Civil Disarmament (ALUDEC) and the Uruguayan Institute

for Legal and Social Studies (IELSUR). These activists did act as pure knowledge-brokers, not embracing any particular policy solution but promoting the securitization of firearms through statements and reports on the risks of firearm proliferation (e.g.: Salamano et al., 2013; Tenenbaum Ewig, 2009). However, they were not scientists and had little credibility among policy-makers, so that their influence was very restricted (Knaggård, 2016: 116–117). Conversely, local academics and researchers were never really attracted to the problem. This is not surprising. As will be discussed later, the involvement of Uruguayan academics and scholars in violence, criminality and public security is fairly limited (Paternain, 2013: 9, 88), partly because politicians hardly ever demand specialized knowledge on policy problems (Gallardo et al., 2009; Garcé, 2007).

6.3.2 Policy stream: Firearm consensus

As in the Brazilian case, we believe it is helpful to try to find the origins of the local policy initiative. In the Uruguayan case, it goes back to Senator Tourne's engagement with the SAM. Specifically, the involvement with disarmament activists from Argentina and Brazil, as well as her participation in the Parliamentary Forum on Small Arms and Light Weapons (own translation from Spanish)¹⁷³, reinforced her belief in a democratic state in which civilians should be disarmed and the state should have the monopoly on violence. More importantly, it convinced her that it was possible to approve an according legislation. In this sense, the 2003 Brazilian Disarmament Statute was an important inspiration.

In the following years, Senator Tourné joined forces with a few other legislators and NGOs that supported policy alternatives that were somewhere between stricter gun control and disarmament. Unfortunately for them, the firearm problematic was never able to arouse the interest of scholars and researchers, and the same applies to gun policy alternatives. Again, this is commonplace for Uruguayan policy processes. As described by Garcé (2007) and Gallardo et al. (2009), Uruguayan universities and research institutes are largely dedicated to further developing their scientific disciplines and only rarely focus on improving the rationality of policy decision-making. Even when they engage in public policy analysis, they usually do so from a theoretical perspective and not towards the solution of specific social problems.

In consequence, a specific research agenda was never established and it seems hard to even speak about a local gun policy community. Instead, disarmament advocates had to disseminate their favored policy proposals in a much broader policy network of security actors. A community that is also highly fragmented, because it is formed by a wide variety of participants that goes far beyond criminal policy experts. As already stated, Uruguayan scientists are not usually involved

¹⁷³ *Foro Parlamentario sobre Armas Pequeñas y Ligeras* - <http://www.parliamentaryforum.org/>

in criminal or security policies (Paternain, 2013: 9, 88), which facilitates the legitimate participation of political actors in the dissemination of ideas and proposals. This was the case of Senator Tourné, a policy-maker who advocated for disarmament. Nevertheless, the lack of specialized knowledge in the policy community was a problem for disarmament advocates, because most of the other community participants were unfamiliar with the securitizing discourse of the SAM, which was usually very well received by academics and activists around the world. And unlike disarmament and gun control advocates, who considered the civilian possession of firearms a problem and a privilege, most actors in the policy network saw it as traditional, ordinary and part of the individual right to self-defense (Evans, 2012: 22–24).

Furthermore, Uruguay had high suicides numbers as well as a high percentage of femicides as consequence of domestic violence, but the country's general firearm homicide rates were closer to those in Western Europe than to those in neighboring countries. The national firearm registry was robust and comprehensive, and firearm traffic was not estimated to be relevant (Fleitas and Otamendi, 2007: 97–98). In this context, it was difficult to argue that the civilian possession of firearms supposed a serious security threat. Suicides were nothing more than an unfortunate condition for most actors in the security policy community, and thus disarmament proposals could hardly meet the community's criteria of survival. Likewise, in a country with a strong firearm culture, rising insecurity and institutional security actors facing a profound legitimacy crisis, the transition of disarmament proposals to the larger political arena was anticipated as very unpopular.

Besides, as time went by and the security crisis worsened, the initial disarmament discourse lost its strength. If the initial conditions had always been adverse, its advocates assumed that the rise in crime and the growing dissatisfaction with the police made disarmament policies even less likely. They lowered the tone and moderated their discourse, changing their policy goal from civilian disarmament to a more comprehensive gun control policy. This change in approach is notorious in the modification of ALUDEC's 2002 slogan, which went from "If you have a firearm, you have a problem, give it up." (own translation from Spanish¹⁷⁴) to the current "If you have a firearm, you have a problem, *train* or give it up." (own translation from Spanish¹⁷⁵) (ALUDEC, 2016).

Such a modification allowed them to find common ground with other security experts. Despite the opposing views, the Uruguayan gun debate is not as antagonistic as in Brazil or in the USA. Faithful to a strongly consensual political culture (Chasquetti and Buquet, 2004), the different positions can usually find points of agreement. For instance, all actors involved saw a problem in the possession of firearms by civilians who were not sufficiently trained in their use. This was

¹⁷⁴ "Si tenés un arma, tenés un problema. Entregala" (ALUDEC, 2016).

¹⁷⁵ "Si tenés un arma, tenés un problema. Entrená o entregala" (ALUDEC, 2016).

usually not the case of collectors, shooters or gun enthusiasts, but of people who acquired firearms for self-defense. In consequence, there was widespread support for stricter permit requirements in that specific user category (Evans, 2012: 23).

Furthermore, the regional experience showed that high percentages of homicides committed with firearms lead to higher rates of homicide (Gilgen, 2012; Sanjurjo, 2016a). Thus, when the use of firearms in homicides and *rapiñas* increased significantly as of 2011, more participants of the security policy community anticipated a real security threat. Accordingly, the excessive proliferation of firearms would enable criminals an easier access to guns. This, in turn, led to a more generous consideration of the policy proposals of disarmament and gun control advocates. Their policy alternatives were softened up and modified, with the objective of deterring the illegitimate use of firearms by criminals while respecting their legitimate use by law-abiding citizens. The main focus was put on the lightness of the former sanctions regime and on the excessive levels of firearm proliferation. Thus, the traffic of firearms and their illegal possession should be further deterred through strong penal sanctions, while the number and types of gun allowed to civilians should be narrowed.

Finally, the institutional framework and the cross-check system between the Ministries of Interior and Defense was considered a fairly good solution, but did not please anyone entirely. In the case of a new legislation, the Ministry of Interior sought a system in which the National Police would have the upper hand in the firearm control policy. The Ministry of Defense, on its part, considered it essential to have the national firearm control registry under their jurisdiction, in case an armed national mobilization was ever needed. Finally, for the sake of transparency and citizen oversight, disarmament and other gun control advocates strived for a complete transfer of competencies to a third institution, beyond the control of the army and the police (Dreyfus et al., 2003: 56–57).

6.3.3 Political stream: Locked and loaded

The political stream is composed of swings in the national mood, administration or legislative turnovers, and interest group pressure campaigns (Kingdon, 1995).

National mood

Probably due to the low agenda-status of the problematic, local polling firms never included firearm control in their public opinion surveys. Nonetheless, public opinions regarding disarmament and firearm control policies were mainly influenced by two factors: A strong national gun culture and the lack of confidence in the state's capacity to control crime and violence in the face of rising insecurity.

Discussing the nature of Uruguay's strong firearm culture, Evans (2012: 4) and Salamano (2016: 39–41) point at the country's violent history of wars and conflicts as a plausible origin. Even before the struggles for independence at the beginning of the 19th century, violence was a constant presence in the first century of the nation. Not only wars, but physical punishments marked the colonial period and defined what the historian José Pedro Barrán (2014) calls the 'barbaric culture' of those times. The epoch of militarism (1860-1886) brought an end to that way of life, but some manifestations of armed violence remained, particularly in rural areas. A good example thereof was the practice of dueling, which was decriminalized in 1920 through the enactment of the Duel Law¹⁷⁶. Such duels had an essentially political character and were considered a legitimate method for settling personal conflicts among gentlemen during much of the 20th century. The law remained in place until 1992¹⁷⁷ and several recent public figures fought against each other in this manner, including former presidents Julio María Sanguinetti and Jorge Batlle (cf.: Prieto, 1984).

The social and political legitimacy of this convention can only be understood by acknowledging a large part of society that holds the possession and use of weapons as an intrinsic part of their history and culture. In families that share such folklore, firearms are frequently passed from fathers to sons in a tradition that symbolizes a boy's transition to adulthood. Hunting, target shooting, armed rural traditions, machismo and the protection of the family are all elements that converge into a strong gun culture that is particularly present in the Uruguayan countryside and can also be found in rural Argentina and in the Brazilian south (Evans, 2012: 4; Salamano, 2016: 39–41).

This rather traditional gun culture is supplement by a more recent phenomenon. Despite minor improvements in the last couple of years, the security crisis that began in the 1990s has exacerbated and led to a growing dissatisfaction with the police and the entire criminal justice system (LAPOP, 2014; Paternain, 2013). As discussed in-depth in *chapter 3.1.2*, the criminological literature suggests that a frequent consequence thereof can be the widespread resort to measures of self-help (Barragan et al., 2016; Black, 1983; Kane, 2005; Nivette and Eisner, 2013; Sanjurjo, 2016b; Smith and Uchida, 1988). Uruguay has undergone such a process in the last few decades. Statistics show that an increasing part of the population is resorting to firearms as a result of insecurity, particularly in urban centers. Firearm imports and the issuance of gun permits rose by 500 and 279 percent, respectively, between 2007 and 2011 (Salamano, 2016: 47–48), while a 2011 national public opinion survey revealed that 35 percent of respondents thought it would be good to own a gun to confront delinquency (Ib.: 2016: 43).

Taken together, Uruguay seems to have a relatively strong traditional gun culture that is being reinforced by the public security crisis. Added to the lack of confidence in state security actors, it

¹⁷⁶ URUGUAY: Law n° 7.253, August 06, 1920.

¹⁷⁷ URUGUAY: Penal Code- Law n° 16.274, August 06, 1992.

creates a particular mood that only gathers very limited support for disarmament initiatives. Furthermore, we find no evidence of a national mood swing regarding the use and possession of firearms. If anything, it seems as if Uruguayan society was experiencing a long period of punitive quiescence, increasingly demanding a more severe approach to criminals and insecurity (Paternain, 2013, 2014; Sanseviero, 2007). In consequence, policies that penalize the criminal use of firearms could be expected to generate a favorable opinion, whereas a negative reception to disarmament policies seemed rather likely. Most interviewees seemed to agree in this regard:

“If we did a survey [...] It is very important how one formulates the questions, the evaluation technique is essential. It is not the same to ask: Do you agree with the total liberalization of firearms in the country? Most likely, they will say no. I would say no. Now... [...] Do you support that they prohibit you from having firearms? [They would say] no. Neither too much nor too little.”

(Julio Lestido, Firearms importer, seller and collector, Secretary of ACAMU, IU09) – Translated from Spanish¹⁷⁸)

“Uruguayans are prone to own firearms, we never had a problem with firearms, we don’t have the problems of other countries. [...] If they do a referendum here, such as in Brazil –to ban the possession of firearms by civilians-, they lose by a landslide, it would make no sense...”

(Army officer, cited by Evans (2012: 23) – Translated from Spanish¹⁷⁹)

“I think people still don’t have an opinion about the regulation [of firearms]. They say ‘firearms, yes’ or ‘firearms, no’. They talk about arming themselves or not arming themselves. [...] The regulation is something we discuss at a political level and with the [organized] civil society, but people are not aware of it”.

(Luis Pedernera, Coordinator at IELSUR, IU08 – Translated from Spanish¹⁸⁰)

¹⁷⁸ “Si hiciéramos una encuesta [...] Acá es muy importante cómo se formulan las preguntas, la técnica para hacer la encuesta es esencial. No es lo mismo que le digan: ¿Está usted de acuerdo con la libertad total de las armas en el país? Lo más seguro es que digan que no, yo diría que no. Ahora [...] ¿Usted está de acuerdo con que no le permitan tener armas? [Dirían que] no. Ni para un lado ni para el otro.” (Julio Lestido; Firearms importer, seller and collector. Secretary of ACAMU; IU09: 0:19:00).

¹⁷⁹ “El uruguayo es proclive a tener armas, nosotros nunca tuvimos problema con las armas, nosotros no tenemos los problemas que tienen otros países (...) acá si hacen un plebiscito como el de Brasil -para prohibir la tenencia de armas de fuego en civiles- pierde por goleada, no tendría sentido...” (Army officer, cited by Evans (2012: 23)).

¹⁸⁰ “Yo creo que la gente todavía no tiene una idea clara del tema de la regulación [de armas de fuego]. Hablan de ‘sí armas de fuego’ o ‘no armas de fuego’. De ‘sí armarse’ o de ‘no armarse’. [...] La regulación la vemos nosotros a nivel político y de la sociedad civil [organizada], pero la gente no lo ve.” (Luis Pedernera, Coordinator at IELSUR, IU08: 00:07:20).

Administrative and legislative turnovers

During the studied period, the *Colorado* (1995-2000, 2000-2005) and *Frente Amplio* (2005-2010, 2010-2015, 2015-) governments implemented a myriad of policies and programs to keep criminals and insecurity at bay, usually with less than promising results (Paternain, 2013: ch. 4, 2014). In the specific case of gun control, the PC governments addressed the matter tangentially, while the FA governments were marked by a long and initial stalemate, as well as by the eventual approval of the RFOL.

Thus, it was during Julio Maria Sanguinetti's (PC) second presidency that the 1995 Citizen Security Law¹⁸¹ was enacted. This was an important breaking point for security policies and resulted from a consensus of the entire political system to fight the first notorious symptoms of the insecurity crisis. Among others, it sanctioned the possession of firearms with erased markings and enhanced penalties for their use in crime. This policy change, as also the signing of CIFTA in 1997, precedes the activity of non-political entrepreneurs, denoting that the first local concerns on the matter occurred inside the political system.

The Uruguayan Chancellor's office was also actively involved with the problematic during Jorge Batlle's (PC) government, as evidenced by the signing of the UN Firearms Protocol in 2001. However, this disposition to address international firearm traffic was not matched through public policies. In 2002, the government enacted a Decree¹⁸² that raised some requirements for acquiring and carrying firearms, while alleviating others significantly. This change was a result of the only general point of consensus of the time, but left disarmament and stricter gun control advocates largely unsatisfied. Also, that year, the disarmament NGO ALUDEC proposed Interior Minister Sterling the implementation of a state-funded awareness-raising campaign on the risks of self-defense, but the Minister declined (Israel, 2016).

On the other hand, some of the most important gun control supporters in the political system made their debut in Parliament in 1995, during the 44th Legislature. This was the case of parliamentarians Daisy Tourné (FA), Javier García (PN), Iván Posada (NE) and Felipe Michelini (NE), among others. These political entrepreneurs were largely responsible for introducing gun proliferation and control in the public and political agendas. Moreover, led by Tourné, several FA congressmen presented a parliamentary initiative¹⁸³ in 2004 to enhance gun control and prohibit the carrying of firearms.

The electoral success of the *Frente Amplio* in 2005 pointed to a promising future for disarmament and gun control advocates. The left-wing coalition had always been very critical of the

¹⁸¹ URUGUAY: Law n° 16.707/995, July 19, 1995.

¹⁸² URUGUAY: Decree 231/002, June 18, 2002.

¹⁸³ URUGUAY: Bill n° 24871, 3934/2004, July 14, 2004.

conservative and punitive policies of former governments and pursued an ambitious change of strategies (Sansevierio, 2007). Moreover, President Tabaré Vazquez (FA) governed with absolute majority and was from the same political sector as Tourné. Expectations rose even higher when José Díaz renounced as Minister of Interior in 2007 and Tourné was appointed to replace him. Disarmament and gun control advocates in Uruguay and abroad waited anxiously for the government to make a move, either proposing a new bill or boosting the 2004 initiative. In her condition as Interior Minister, Tourné achieved the parliamentary approval of the UN Firearms Protocol in 2008¹⁸⁴ and organized international workshops on the matter to introduce the subject in the public and political agendas. However, a definitive legislative effort was never made. Both in ALUDEC and IELSUR, the disappointment with her performance was significant (Evans, 2012: 26). The same was said to us by her disarmament colleagues in Brazil, who had been in constant communication with her for years and could not understand how she did not seize the opportunity.

Asked about the matter, current Senator Tourné pointed at a complete lack of support and consensus within the government and within the governing party. This might well be the case, since many leaders of the *Frente Amplio* had taken up arms in the 1970s and had suffered for it at the hands of the military regime. They had a close relationship with guns, were skeptical of the state's security forces and believed in an armed society that could defend its rights in the event of another drift towards authoritarianism. Perhaps the loudest voice in this regard was that of her party colleague, Senator Eleuterio Fernández Huidobro. The Senator publicly remarked that Tourné's disarmament proposals "would be good if they came together with an excellent police, such as the Scandinavian or at least the Dutch", and called to "disobey the dear colleague Minister" (Israel, 2016 - Translated from Spanish¹⁸⁵). Besides, gun control opponents did not have to ride out the storm for long: In June of 2009, Tourné resigned her post and the disarmament proposals were shelved.

Vazquez' first presidency did continue the active involvement of the Chancellery with the international efforts to fight the traffic of SALW. Federico Perazza was appointed Minister of the government's Permanent Delegation to the UN between 2005 and 2011, and was Vice-president of the UN Disarmament Commission in two occasions. According to interviewees, Perazza was also key for approving the MERCOSUR *Memorandum of Understanding on the manufacture and illicit trafficking of firearms* in 2005¹⁸⁶, as well as for the political negotiations towards the ATT.

In many aspects, José Mujica's (FA) accession to power in 2010 implied a continuation of the *Frente Amplio*'s political program. In terms of security policies, however, the ongoing security

¹⁸⁴ URUGUAY: Law n° 18.233, January 11, 2008.

¹⁸⁵ "La propuesta sería buena si viniera acompañada de una excelente Policía, del tipo escandinavo, o por lo menos holandés" [...] "a desobedecer a la querida compañera ministra" (Israel, 2016).

¹⁸⁶ URUGUAY: Decree n° 12/005, January 11, 2005.

crisis and the social demands for a more severe approach led the new government to distance itself from the traditional doctrines of the left and pursue a more punitive strategy (Paternain, 2014). As far as the firearms problematic goes, three members of the Executive were especially important: Eduardo Bonomi and Jorge Vázquez –former president Vázquez’ brother- were appointed Minister and Vice-minister of Interior, whereas Fernández Huidobro was named Minister of Defense in 2011. As Huidobro, the former two had been armed revolutionaries and were not foreign to guns. Unlike him, they eventually acknowledged the arguments of police officers, who believed that as the police was professionalized and equipped, the arsenals and firepower of civilians should be restricted as well (Israel, 2016).

This did not mean the consideration of disarmament proposals, however, but rather a tighter control of existing civil arsenals. This lack of political will was notorious in the failure of a public security program entitled “Weapons for Life” (own translation from Spanish¹⁸⁷), designed by the Interior Ministry with the intention of exchanging firearms for bicycles and laptops (El Observador, 2013). The program was announced and advertised, but never implemented. It is in this context that the Executive Branch introduced in 2012 the bill n° 112037¹⁸⁸, which eventually turned into the RFOL.

Lastly, gun control fell under the jurisdiction of the Ministries of Interior and Defense, and the opposing views of Bonomi and Huidobro led each Minister to defend its turf. The RFOL was enacted in August of 2014, but the strong jurisdictional disputes among Ministries retarded its regulation for two years. The stalemate ended after Vazquez’ return to power in 2015.

Interest group pressure campaigns

Beyond formal political actors, disarmament and gun control advocates were represented by ALUDEC and IELSUR. The Association to Fight for Civil Disarmament (ALUDEC) was founded by the publicist Gustavo Guidobono around 2002, in an effort to supply former congresswoman Tourné with an advertising machinery that could echo her disarmament discourse. Together, they implemented a public awareness-raising campaign with the auspices of the Ministry of Interior, the Ministry of Public Health and the Chamber of Representatives. The campaign included billboards and TV commercials, warned about the risks of keeping a gun in the house and asked civilians to voluntarily surrender their weapons to the police (“If you have a firearm, you have a problem, give it up.” (own translation from Spanish¹⁸⁹)). Funds were scarce,

¹⁸⁷ “*Armas para la vida*” (El Observador, 2013).

¹⁸⁸ URUGUAY: Bill n° 112037, 845/2012, April 26, 2012.

¹⁸⁹ “*Si tenés un arma, tenés un problema. Entregala*” (ALUDEC, 2016).

however, and it is unclear how long it lasted, as well as the impact it had on the public and political agenda (Dreyfus et al., 2003: 57).

On its part, the Uruguayan Institute for Legal and Social Studies (IELSUR) is a small human rights NGO that got actively involved in the firearm issue around 2006. Following a strategy that was more in line with the SAM, IELSUR joined IANSA and participated in training workshops on the matter. With the help of ALUDEC, the SMA and the Presidency of the Lower Chamber, they organized an international workshop in 2008 that ended with the first public destruction of firearms in the esplanade of the Legislative Palace (Pedernera, 2016). In 2013, the NGO received the financial support of the European Union to launch a series of initiatives that pursued the creation of a national civil disarmament plan. This included the implementation of a modest awareness-raising campaign on the risks of gun ownership, as well as the development of information regarding the local problematic (cf.: IELSUR, 2016). The campaign's slogan was "Don't let it become a tradition. More firearms mean more insecurity" (own translation from Spanish¹⁹⁰), in a clear reference to the country's high levels of firearm proliferation.

Both ALUDEC and IELSUR advocated for civil disarmament and for the need to implement awareness-raising campaigns and weapon collection programs. However, we were not able to find any evidence of a public proposal to ban the sale of firearms nor their possession by civilians, as was done by other NGOs in the region. Their stance was less radical and their strategies included the mutual cooperation with disarmament opponents, such as the Armed Forces and the SMA (Pedernera, 2016). Additionally, their original position on gun control turned more moderate with time, as the security crisis worsened and the lack of political support became more evident. Eventually, the distance and lack of understanding with recent governments has led them to "[...] question the validity of fighting for civil disarmament at this moment" (ALUDEC, 2016: last slide - Translated from Spanish¹⁹¹).

On the other side, there are also a number of interest groups that defend gun rights and which usually opposed further restrictions for gun owners. Firearm importers, sellers, collectors, shooters and enthusiasts are usually organized in the Uruguayan Shooting Federation, the Uruguayan Shooting Club¹⁹², the Uruguayan Chamber of Firearm and Ammunition Importers (CIAMU, for its Spanish initials)¹⁹³ and the Uruguayan Association of Responsible Firearm Owners (AUTRAF, for its Spanish initials)¹⁹⁴. These organizations defend the right of civilians to own firearms and use them as instruments of self-defense, especially in the current context of a

¹⁹⁰ "Que no se vuelva costumbre. Más armas son más inseguridad" (IELSUR).

¹⁹¹ "En los últimos años la distancia con las autoridades reteniendo para ellas cuasi el monopolio del tema, con cuestionados resultados ha inducido a cuestionar la validez de la lucha para el desarme civil en este momento" (ALUDEC, 2016).

¹⁹² Club Uruguayo de Tiro - <http://cluburuguayodetiro.com/>

¹⁹³ Cámara de Importadores de Armas y Municiones del Uruguay (CIAMU)

¹⁹⁴ Asociación Uruguaya de Tenedores Responsables de Armas de Fuego (AUTRAF) - <http://www.autraf.org/>

public security crisis. Regarding the policy process that led to the RFOL, these groups openly opposed disarmament proposals and most measures that hindered civilians from acquiring guns.

Despite the above, their depiction as a local gun lobby (e.g.: Búsqueda, 2013a) seems overstated. During the studied period, their advocacy activities were almost negligible and limited to declarations in the media and a few hearing requests at the Chamber of Representatives. Their low levels of mobilization against stricter firearm control measures might be the result of three factors. First, to the poor acceptance found by disarmament advocates in the political system, which made public mobilization unnecessary. Second, to the lack of a national gun industry, which concentrated possible economic losses on a small number of importers and sellers. Finally, interviewees suggested that precisely the most important firearm importers and sellers were held back by their commercial ties with the government, which was –and still is– one of their biggest clients. As a result, Senator Tourné concluded that “[t]here is not a strong gun lobby, [...] there is nothing of that kind here” (IU10 – Translation from Spanish¹⁹⁵).

Ultimately, whether supporting gun control or gun rights, pressure campaigns by interest groups were rather limited. This is especially true for interest groups defending gun rights, whose strategies did not include public mobilization. In comparison, ALUDEC and IELSUR did help to raise public awareness on the risks posed by gun proliferation, but their influence in the specific policy process seems unessential. In their role as knowledge-brokers, they helped to raise the issue in the agenda, but did not advocate for a specific policy alternative. Both sides also tried to exert pressure *ex ante* policy enactments by requesting hearings in front of the General Assembly. However, there was no political interviewee who regarded them as having been influential in the decision-making process.

While this may be an exception in the international SAM -where scholars, NGOs and other civil society organizations play a crucial role (Grillot et al., 2006)-, it is business as usual for Uruguayan politics. A key structural feature of the Uruguayan political system is namely the historical predominance of political parties above any other kind of political actor, a feature that leads to the frequent distinction of the country’s political system as a ‘partitocracy’ (Caetano and Rilla, 1992). As Bergara and his co-authors (2006) point out in their characterization of Uruguayan public policies, this feature also applies to the policy process, where “interest groups channel their demands through the political parties, which develop a key role as mediators of diverse interests and pressures” (Ib.: 2006: 41). As a result of this mediation, “groups such as the church and NGOs are perceived as having no significant influence over the policymaking process” (Ib.: 2006: 54).

¹⁹⁵ “*Acá no hay ese lobby fuerte. [...] acá no hay nada parecido*” (Daisy Tourné, Senator, IU10 – 00:46:00).

In our specific case study, gun control seemed to be a non-partisan issue. *Colorados* and *Blancos* had an official position in favor of the right to self-defense (e.g.: Maciel and Ventura, 2013), but also had individual legislators working for stricter gun control measures (e.g.: congressmen Germán Cardoso (PC) and Javier García (PN)). The *Frente Amplio*, on its part, has usually a significantly more statist and progressive stance on public security, but its ranks are confronted when it comes to gun control. As stated before, some of its leaders and affiliates took up arms in the 1970s and have a close relationship with guns. Hence, there were opposing political views on the issue inside the current governing party. Furthermore, it is hard to say to what extent each party channeled the demands of the former interest groups, even though the affinity among each side is undeniable: The ‘traditional’ parties –*Blancos* and *Colorados*– are especially popular in rural areas and among conservative voters, which tend to have a stronger traditional gun culture. Conversely, the left-wing party (*Frente Amplio*) usually has ties with human rights and civil society organizations.

6.3.4 Agenda and decision couplings

As a reminder, we define the agenda coupling process as successful if its output is a worked-out policy proposal that moves into the decision agenda and requires an authoritative decision by policy makers (Herweg et al., 2015; Zohlnhöfer et al., 2016). A good example is the introduction of a bill in parliament. Furthermore, if the negotiations with veto actors is prosperous and the policy proposal is adopted, then a decision coupling has taken place (Zohlnhöfer et al., 2016).

In this regard, three parliamentary initiatives related to firearm control were introduced in Uruguay’s General Assembly during the studied period. The first was presented in 2004¹⁹⁶ by a group of FA congressmen, whereas the second was introduced by congressman Germán Cardoso (PC) in 2011¹⁹⁷. Lastly, one year later, the Executive Branch introduced Bill n° 112037¹⁹⁸, which eventually turned into the RFOL. This section will analyze the rise of these legislative proposals.

The agenda-setting process can be traced back to the early 2000s, when congresswoman Tourné began to publicly relate gun proliferation with Uruguay’s historically high percentage of suicides and female homicides (*see 6.3.1 – Indicators, -Knowledge-brokers*). She was joined shortly after by ALUDEC and by several congressmen from different parties, who due to different motivations were either in favor of disarming civilians or simply advocated for a more comprehensive gun regulation. The timing is not accidental. The international SMA was at its prime during those years, especially in Latin America. Its results were notorious, with the approval of CIFTA in 1997

¹⁹⁶ URUGUAY: Bill n° 24871, 3934/2004, July 14, 2004.

¹⁹⁷ URUGUAY: Bill n° 107507, 777/2011, May 04, 2011.

¹⁹⁸ URUGUAY: Bill n° 112037, 845/2012, April 26, 2012.

and the UN Firearms Protocol in 2001. In neighboring countries such as Argentina and Brazil, progressive governments and civil society organizations were successfully securitizing small arms and achieving important policy changes (*see 3.2.2*).

Nonetheless, despite the momentum, Uruguay appeared to be immune to the firearms securitization process, at least from a public policy perspective. Uruguayan governments were actively involved in the development and approval of international gun control efforts, but their attitudes regarding the local gun problematic were hardly as ambitious (*see 6.3.3 –Administrative and legislative turnovers*). Various reasons accounted for this indifference. First, Uruguayans were experiencing the worst economic crisis of their history. Poverty, unemployment and the general economy fixed public and political concerns from the end of the 1990s until the end of the 2000s, when the economy recovered and continued growing steadily (*see 6.3.1 –Problem load*). There were also very few knowledge-brokers, who were rather activists and with low levels of credibility among policy-makers (*see 6.3.1 -Knowledge-brokers*). Moreover, the country had a strong traditional gun culture that was being reinforced by the public security crisis. Thus, the rise in crime and the lack of responses by the governments increased public support for guns and self-defense (*see 6.3.3 -National mood*). Finally, despite the rise in crime, homicide numbers remained relatively low (*see 6.3.1 -Indicators*), which effectively prevented gun proliferation from being considered a real security threat by most actors in the security policy community (*see 6.3.2*).

“No, not at all. Uruguayans are not interested in the subject. [...] Uruguayans are worried about insecurity and this does not go hand in hand with the firearms issue”.

(Guillermo Maciel, Director of FUNDAPRO; IU12 – Translated from Spanish¹⁹⁹)

Against this background, local policy entrepreneurs had to limit their demands to a more comprehensive policy. Leading these efforts was former congresswoman Tourné (FA), who by that time had already turned gun control into her political pet project²⁰⁰. The key was to generate consensus, and this is what she and several other members of her party intended with the introduction of the Bill n° 24871²⁰¹ in 2004. Entitled SINARM Bill (in clear reference to one of the core elements of the newly approved Brazilian Disarmament Statute), the parliamentary

¹⁹⁹ “No, en absoluto. No les interesa a los uruguayos. [...] La preocupación de los uruguayos es la inseguridad y no está atada de la mano al tema armas.” (Guillermo Maciel; Director of FUNDAPRO; security advisor for the Colorado party; IU12)

²⁰⁰ “Daisy Tourné took [firearm control] as her ‘little battle horse’ (pet project) [...], she put it in her backpack to fight for that issue” (Guillermo Maciel, IU12: 00:06:00 – Translated from Spanish) – “Daisy Tourné lo tomó [el control de armas] como su caballito de batalla [...], se lo puso en su mochila para batallar por ese tema.”

²⁰¹ URUGUAY: Bill n° 24871, 3934/2004, July 14, 2004.

initiative entailed an incremental policy change that prohibited the carrying of firearms by civilians and addressed most of the deficiencies of the former legislation (*see 6.3.1 –Policy feedback*). The proposal was referred to the corresponding commission, to which it returned several times in the following years as it was voted down in the Plenary of the Lower Chamber.

Its continuous dismissal during the 46th Legislature (2005-2010), in which the FA had an absolute majority, supports the notion of a partial coupling. In Kingdon's words, political policy entrepreneurs had used firearm deaths (suicides, homicides and femicides) as a problem policy window to couple their solution (stricter gun control) to a specific problem. Unfortunately for them, the problem stream was not ripe and neither their peers nor the public found these conditions sufficiently compelling. This situation did not even change when Tourné was appointed Interior Minister (2007-2009), a time in which she strongly but unsuccessfully maneuvered to introduce the issue in the decisional agenda (*see 6.3.3 –Administrative and legislative turnovers*). Eventually, suicide numbers decreased and the window of opportunity closed without the critical joining of the streams.

The previous context would only change as of 2010 with the second Presidency of the *Frente Amplio*. The economic crisis was over by that time, and crime and insecurity had become the most pressing problems for the public (*see 6.3.1 –Problem load*). Moreover, several factors had begun to stir discussions on the need to counter firearm proliferation. Among others, the revelation of Uruguay's excessively vast gun arsenals (*see 6.3.1 –Indicators*), the awareness-raising campaigns by disarmament groups (*see 6.3.3 –Interest group pressure campaigns*) and several dreadful events involving firearms (*see 6.3.1 –Focusing events*). Still, the most significant window of opportunity would arrive during 2011. That year, homicides experienced a qualitative leap due to the greater activity of organized criminal groups. The important rise in firearm homicides distanced Uruguay from the other few countries in the region with historically low homicide rates (*see 6.3.1 –Indicators*). This turned the problem stream ripe for coupling.

The problem window was seized by political entrepreneurs, who correctly identified that the members of the security policy community had begun to consider the deficiencies of the gun control policy and the excessive gun proliferation as solid security threats (*see 6.3.2*). A first parliamentary initiative was made by congressman Cardoso (PC), who introduced a bill²⁰² in May of 2011 that prohibited the possession and carrying of firearms by those with criminal records. While the governing-party majority in the Chamber of Representatives considered this a step in the right direction, they preferred to wait for the bill that was being elaborated by the Executive. The Minister and Vice-minister of Interior -Eduardo Bonomi and Jorge Vázquez- had namely

²⁰² URUGUAY: Bill n° 107507, 777/2011, May 04, 2011.

become convinced of the need to tackle gun control and had received green light by the President (*see 6.3.3 –Administrative and legislative turnovers*).

As part of a broader array of security measures, President Mujica presented the Bill n° 112037²⁰³ in the General Assembly on April 26 of 2012. Therewith, another agenda coupling was successfully achieved. Beyond sanctioning firearm traffic and their illegal use, the initiative tried to prevent the general proliferation of firearms without interfering with the civilian right to own and use them for legitimate purposes. In this regard, Mujica's government maintained its prerogative in security policies and paid little attention to non-political actors. And since it did not favor civilian disarmament –as previous governments did not either–, any effort with that objective was eventually given up (ALUDEC, 2016: last slide).

The Bill²⁰⁴ introduced in the General Assembly in 2012 was not the first on the matter. Similar endeavors had been tried before²⁰⁵ and failed, even when the proponents of the bill enjoyed an absolute majority in both chambers of Parliament. What made a difference this time was the involvement of the Executive Branch, which plays a predominant role in policymaking in Uruguay's presidential system (Bergara et al., 2006). The President namely possesses strong legislative powers to control the ability of parties and legislators to influence the process. In relation to our case, one interviewee put it this way: "If the *Frente Amplio* majority receives the blessing of the Executive, it stamps around a little, but follows" (Daisy Tourné, IU10 - Translated from Spanish²⁰⁶).

But even with the pressure of the Executive, it would take more than two years to get legislative approval. After a year from its introduction, the Senate passed a slightly modified version of the original proposal, but its approval by the Chamber of Representatives would prove more difficult. The bill was referred to the Commission on Constitution, Codes, General Legislation and Administration, which altered the proposal to reach the general consent. Hence, after its approval by the Lower Chamber on August of 2013, it went back to the Senate with substantial changes. The Senate approved the bill one year later with the support of the opposition, which only rejected a small number of articles that they felt did not respect the right to own and bear arms (Búsqueda, 2013b). The bill was eventually sanctioned by the General Assembly on August 06 of 2014, and then enacted into Law n° 19.247²⁰⁷ by President Mujica on August 15 of the same year. The enactment of the so-called Responsible Firearm Ownership Law implied the success of the decision coupling process.

²⁰³ URUGUAY: Bill n° 112037, 845/2012, April 26, 2012.

²⁰⁴ URUGUAY: Bill n° 112037, 845/2012, April 26, 2012.

²⁰⁵ URUGUAY: Bill n° 24871, 3934/2004, July 14, 2004 & URUGUAY: Bill n° 107507, 777/2011, May 04, 2011.

²⁰⁶ "Si a la mayoría frenteamplista el Ejecutivo le da su bendición, patalea un poco, pero corre" (Daisy Tourné, Senator of the Republic; IU10 – 00:27:30).

²⁰⁷ URUGUAY: Law n° 19.247, August 15, 2014.

The difficulties of getting an Executive proposal approved by a Parliament with a favorable absolute majority denotes another institutional feature of the Uruguayan policymaking process: The number of actors with veto power over the decision-making process is relatively large. Not only because it is a presidential system with a bicameral legislature, but also because of the fragmentation and strong factionalism of the Uruguayan party system (Bergara et al., 2006). Factionalism is namely strong in all three major parties. The governing *Frente Amplio* is actually a coalition of autonomous parties that vary greatly in their ideological outlook. And while this is not the case of traditional parties, these are also composed by divergent factions with autonomous identities.

In the case of the gun problematic, opposing political views on the issue coexisted inside the current governing party. Opposing those who defended a statist approach to public security, some of the party's factions were closely related to firearms and defended the individual's right to own and carry guns (*see* 6.3.2). These factions with opposing views were also present in the Executive Branch. To avoid a stalemate, the parliamentary initiative and the Law remained somewhat loose, leaving most of the controversial issues to the regulatory decree. Hence, while the Law is only two pages long and consists of 15 articles, its regulatory Decree is forty pages long and is made up of 65 articles.

"It was the only way. We advanced all we could to get the Law approved and avoid a stalemate. Thus, in issues such as the types of calibers and weapons allowed, the carrying firearms... [...] There are many issues in which I had to give in. I would have gone even further. [...] There was no other way than leaving certain articles to the regulation by the Executive, and that is where it got stuck for two years. On a turf over who rules on the gun issue, if Defense or Interior."

(Daisy Tourné, Senator of the Republic; IU10 – Translated from Spanish²⁰⁸)

Furthermore, the RFOL established that its regulatory decree had to be ready within 90 days, but the opposing views inside the Executive led to an impasse that lasted for over two years. The main problem was that gun control fell under the jurisdiction of the Ministries of Interior and Defense (*see* 6.3.2), and the opposing views of Ministers Bonomi and Huidobro led each to defend its turf (Búsqueda, 2016). According to interviewees, Defense Minister Huidobro was closer to

²⁰⁸ *"Era la única manera. Avanzamos todo lo que pudimos para sacar la Ley, para que no quedara en una situación estancada. Entonces, en el tema de los calibres y del tipo de armas, el porte de armas... [...] Hay temas en lo que yo tuve que 'bajarme del carro'. Yo hubiera ido mucho más lejos. [...] No hubo más remedio que dejar ciertos artículos a la reglamentación del Ejecutivo, y ahí se trancó durante dos años. Por un litigio de quién manda sobre el tema de las armas, si Defensa o Interior."* (Daisy Tourné, Senator of the Republic; IU10 – 00:30:00)

President Mujica than Interior Minister Bonomi. This changed with Tabaré Vazquez' return to power in 2015 (see 6.3.3 –*Administrative and legislative turnovers*). Political policy entrepreneurs insisted on the need to overcome the stalemate, which led the President to demand a political solution. One of these entrepreneurs was his brother -and Interior Vice-Minister- Jorge Vázquez. It is believed that the President's close relationship to his brother helped him opt for the regulation proposed by the Interior Ministry (El Observador, 2016b). The regulatory Decree n° 377/016²⁰⁹ was sanctioned on December 05, 2016, culminating a successful policy change of an incremental nature.

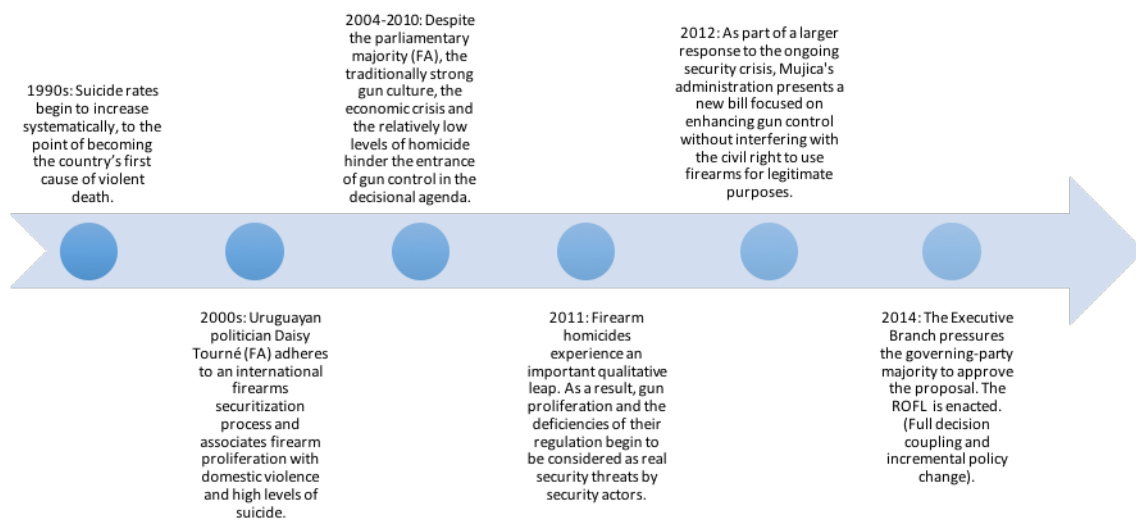
6.4 Summary and Conclusions

The application of the extended MSF to the formation of Uruguayan gun policies provided a comprehensive explanation for the agenda and policy changes that led to the enactment of the RFOL in 2014. Additionally, it proved that the MSF –and its applied modifications- are capable and well suited to explain agenda and policy changes in Uruguay.

As substantiated in the analysis, motivated by the successes of the SAM in neighboring countries at the turn of the century, Uruguayan gun control advocates began to publicly associate firearm proliferation to domestic violence and to the historically high rates of suicide. A first attempt to couple the streams occurred in 2004, when policy entrepreneurs tried to use the international SAM as a political policy window. However, domestic violence and the high levels of suicide did not suppose a pressing problem for policy-makers and the public. Also, the knowledge-brokers' low levels of credibility, the traditionally strong gun culture, the economic crisis and the low levels of firearm homicides, all hindered a full coupling of the streams and the formation of a political majority around the proposal. This situation would only change as of 2011, when the rise in firearm homicides convinced more actors in the security policy community of the need to tackle gun proliferation, as well as of the deficiencies of the former gun control policy. The emergence of this new element in the problem stream was used by political policy entrepreneurs to successfully couple the streams together. The Executive Branch introduced the definitive parliamentary initiative in 2012. It was the president's involvement that eventually pressured the governing-party majority in the General Assembly to build a political majority around the proposal and achieve a policy change of an incremental nature.

²⁰⁹ URUGUAY: Decree n° 377/016, December 05, 2016.

Figure 15: Timeline – The policy formation of the Responsible Firearm Ownership Law



Source: Own elaboration.

We can conclude that the Responsible Firearm Ownership Law was the result of a full agenda coupling in 2012 and a successful decision coupling in 2014. The policy process was irrational, due to the general ambiguity of the process and because the specific policy solution was initially developed to solve other problems, such as suicides and domestic violence. Problem-solving was consequential (Zahariadis, 2003: 12), however, because the policy solution was applied in response to a previous problem. Indeed, gun control eventually entered the governmental agenda after an important increase in homicides.

Furthermore, the modifications to the original MSF allowed a more comprehensive explanation of the specific policy formation process. The additional variable 'problem load' (Zahariadis, 2003: 154) was not essential to explain the policy outcome, but provided the acknowledgment of the economic crisis that relegated other problems and conditions during the end of the 1990s and beginning of the 2000s. The episode is not crucial for explaining the RFOL's policy formation process, but is still helpful to understand its timing and why disarmament advocates encountered such difficulties to introduce the gun problematic in the public and political agendas during the heyday of the SAM. The international movement was namely at full swing during the worst moments of the economic crisis and then lost its vigor during the second half of the 2000s. The same occurred with the local disarmament discourse. In a way, we could argue that its consideration adds an important element of historical causality to the analysis.

Similarly, the division of the original coupling process in two different stages (Herweg et al., 2015; Zohnhöfer et al., 2016) enabled us to take veto actors into consideration. These are particularly important in Uruguay due to the strong factionalism of its political parties, which

makes the number of bargaining actors higher than that set by the constitutional arrangement. The consequence for policy entrepreneurs is that they must do a greater effort during the coalition-building process to get their pet proposals approved. In the case of the decision-making process of the RFOL, the strong factionalism of the *Frente Amplio* explains the difficulties that gun control advocates went through to get an Executive proposal approved by a Parliament with a favorable absolute majority.

At last, the consideration of knowledge-brokers (Knaggård, 2015, 2016) proved key to understand the difficulties encountered by policy entrepreneurs to couple the streams. There were only very few knowledge-brokers with very limited resources in our case study. And because they were mostly activists and not academics, their credibility was rather low and so was their capacity to frame the problem and securitize small arms. As expected by Knaggård (2016: 121), their role in the policy process is determined by how the relationship between knowledge-brokers and policy makers is institutionalized. In the Uruguayan case, the involvement of academics and researchers with the gun problematic was very limited, whereas political actors played a much more prominent role in the problem and policy streams than anticipated by the MSF.

This is a common feature of Uruguayan public policies, as universities and research institutes only rarely get involved in policy analyses. Moreover, politicians hardly ever demand specialized knowledge and the link between social research and policymaking is narrow and unstable (Gallardo et al., 2009; Garcé, 2007). The result is the lesser presence of ‘knowledge brokers’ in the problem stream and of specialized knowledge in policy communities, which probably hinders most the development and evolution of progressive policy ideas. Disarmament and gun control advocates experienced this disadvantage in our case study, as they had to disseminate their proposals among members of the policy community that were unfamiliar with the international SAM.

In part, the poor relationship between scientists and policy-makers is a consequence of the predominance of political parties in the Uruguayan political system (Caetano and Rilla, 1992; Chasquetti and Buquet, 2004). Their condition as dominant political actors is key to understand the historical and current dynamics of Uruguayan politics, where they conform the central mechanisms of representation and expression of political interests. For these reasons, the country’s political system is known as a ‘partitocracy’, in a sense that does not carry the derogatory meaning of its original conception but does imply that “there cannot be viable collective enterprises without [the political parties’] participation or with their opposition” (Caetano and Rilla, 1992: 170 - Translation from Spanish²¹⁰). This predominance is also

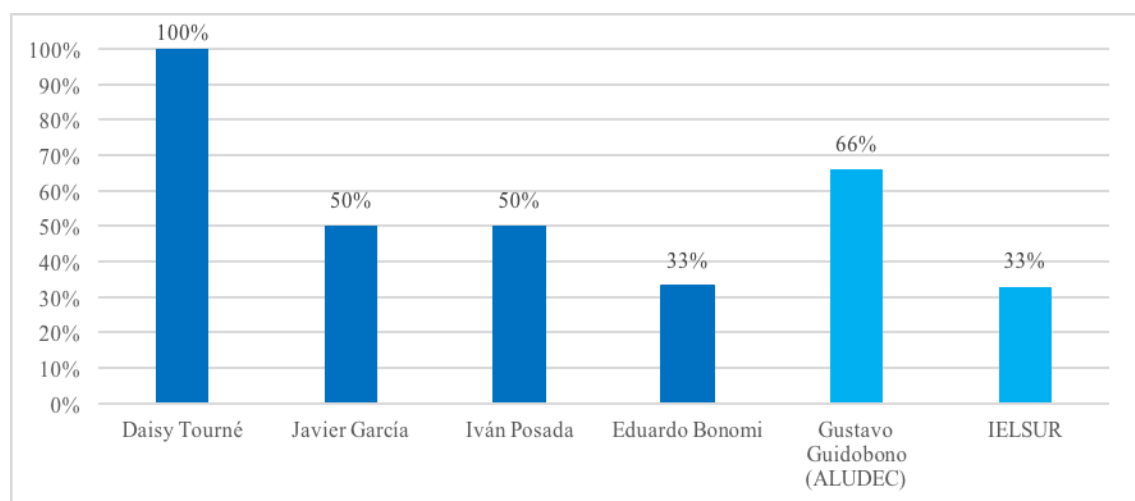
²¹⁰ “[...] no hay empresas colectivas viables sin su concurso o con su oposición” (Caetano and Rilla, 1992: 170).

noticeable in the public policy process (Bergara et al., 2006: 24–30), as exemplified by our empirical analysis.

Another implication of this predominance is that Uruguayan political parties work as effective mediators of diverse interests and pressures, channeling the demands of interest groups into the political system (Bergara et al., 2006: 40–41). The consequence is also a minor direct involvement of interest groups in the policy making process, as well as little or no direct influence in its outcomes (Ib.: 2006: 54). This also applied to our case study, as gun control and gun rights pressure groups focused their demands on political parties and appealed less to public campaigns and other advocacy strategies. It is unclear to what extent the policy process may have a stronger top-down dimension as a result, since it depends on how effective political parties are at channeling demands.

In any case, the consequence of both dynamics is that policy makers and political policy entrepreneurs are more prominent than usual. On the one hand, in the absence of researchers and specialists, individual political actors enjoy more legitimacy to frame conditions, generate policy alternatives and disseminate their ideas in policy communities. On the other, they are members of the predominant and most legitimate form of social representation in the political system. What follows is that non-political entrepreneurs in Uruguayan policy processes are even more ‘hidden’ -and political entrepreneurs even more ‘visible’- than what Kingdon (1995: 68–70) had in principle expected. This was particularly the case of policy-maker Daisy Tourné, for instance, who was unanimously considered the first person to publicly address the issue of firearm control and disarmament in Uruguay, inside and outside the political system (*see Figure 16*).

*Figure 16: Individuals and organizations that were key in including the firearm control issue in the Uruguayan agendas (mentioned by at least two interviewees, in percent).**



Source: Own elaboration, from mentions by at least two interviewees (only includes interviews held in 2016).

*Differentiated by their role as non-political and political policy entrepreneurs.

Finally, the RFOL supposes a rigorous gun control policy, but there was a consensus among interviewees that its approval meant a policy change of an incremental nature. Sanctions and firearm control measures were significantly raised, especially by the RFOL's regulatory decree, but it was another step in the same directional logic of previous gun policies (*see 6.3.2*). In this regard, it is worth mentioning that radical changes are extremely rare in Uruguayan policies. As discussed in the *conceptual framework chapter*, this is generally the case everywhere, since policy changes are usually incremental. Nonetheless, this is even more pronounced in Uruguay. According to Bergara et al. (2006: 9), this structural feature appears to be the consequence of a mixture of institutional characteristics and political conflict, in which strong party factionalism and direct democracy mechanisms play a very prominent role. Together, they allow the possibility of forming political and social coalitions that can easily repeal laws through referendums. Therefore, moving away from the *status quo* comes at a serious political cost because of the credible threat of policy reversal.

Chapter 7: Results and discussion

After applying the extended version of the MSF to agenda-setting and gun policy changes in Brazil and Uruguay, the final chapter of the empirical analysis will review both case studies from a comparative perspective. As discussed in-depth in *chapter 2.3*, the selection of the Brazilian and the Uruguayan case studies for our analysis sought to achieve variation on the dimensions of theoretical interest, while elucidating the features of a broader population. In this sense, the distinct characteristics of each case regarding violence indicators, institutional constraints and scope of the policy change, among others, ensured the proper variation for our study.

The first goal of this chapter is to understand the differences and similarities in the observed agenda-setting and policy formation processes. That is, to identify the roles that the different variables of each stream played in the divergent policy outcomes. The second goal is to deduce findings that might be prone to contingent generalizations, that is, able to inform other gun policy processes or that might deepen our overall understanding of policy processes in Latin America. A final goal is to explore the theoretical efficacy of the extended MSF when confronted with such different political variables and configurations. To do so, this chapter will first discuss the combined use of the comparative method with theories of the policy process, which constitutes a new research trend within public policy studies. Then the actual comparison will follow the structure of the case studies and the MSF, which means establishing one section for each stream, as well as for the agenda and decision coupling processes. The chapter ends with conclusions over possible generalizations regarding gun policy processes and on the applicability of the theoretical framework.

7.1 Analyzing policy processes comparatively

Defining what constitutes comparative public policy is not an easy task. Systematic comparisons in the public policy field started in the 1970s and scholars have resorted to a wide diversity of research methodologies, questions and variables since then. To overcome this difficulty, Lodge (2007: 275–277) argues that comparative public policy is largely driven by a joint logic, but not necessarily a common method in terms of research strategies and instruments. This logic implies a commitment to the systematic investigation across states, domains and time, in order to achieve two central objectives: To establish what accounts for the observed patterns in public policy and to question stereotypes by exploring somewhat paradoxical or counterintuitive developments.

Amid this diversity, recent years have seen the emergence of a new line of research, characterized by the explicit combined use of the comparative method with theories of the policy process (Eissler et al., 2014; Gupta, 2012). Two distinctive trends can be distinguished. On the one hand, studies comparing theories of the policy process to one another when answering a specific

question. On the other, studies which compare theories across institutional configurations. In both cases, scholars not only seek to explain policy phenomena but also induce theory refinements and development.

Our endeavor in this chapter falls within the second research trend, which is more in line with the broader ideas behind comparative public policy, where cases are usually compared across political systems to establish empirical associations between distinctive features of the system and the policy phenomenon (Lodge, 2007). This new trend sets itself apart inasmuch as scholars explicitly resort to theories of the policy process to understand why and how the divergent policy outcomes occurred. The use of such approaches allows to not just study static political systems, but dynamic political processes that include the relationship between policy inputs and policy outputs. Moreover, scholars can acknowledge not just how diverse institutional settings influence outcomes differently, but also the role that ideas, networks and other important variables play in each case. Lastly, scholars can explore an approach's theoretical effectiveness when confronted with different political configurations (Gupta, 2012: 15–17).

As discussed in a recent article by Béland and Howlett (2016), the use of the Multiple Streams Framework in comparative policy research has not been thoroughly studied. Moreover, it is not clear beforehand that a framework developed exclusively on the basis of analyzing single national cases should be able to generate insights useful in comparative research. Our study in general, and this chapter in particular, aim at evaluating this argument and seeing if the comparative method can deepen our understanding of gun policy processes and the MSF. Ultimately, while all comparative research in policy studies is useful and indispensable, scholars are only recently starting to build upon theories of the policy process in a comparative perspective. Their combined application assumes the use of similar terms and concepts, motivating scholars and comparatists to talk and collaborate with each other. Not just to explain diverse policy phenomena, but also to improve our understanding of the policy process and refine the conceptual tools at our disposal.

7.2 Policy processes in comparison

This section will compare the results of the empirical analyses with each other. For that purpose, it will follow the structure of the case studies and the MSF, thus establishing one section for each stream, as well as for the agenda and decision coupling processes.

7.2.1 Problem streams

As far as previous gun control policies were concerned, the point of departure in both countries was somewhat similar. The first pieces of firearm legislation appeared during non-democratic

junctures, and safety and control were only assumed as legitimate policy goals in the last few decades. The Brazilian SINARM-Law²¹¹ of 1997 had been received with satisfaction by gun control advocates, whereas the loose pieces of legislation that complemented the 1993 Uruguayan Decree-Law n° 10.415²¹² resulted in a relatively appropriate gun control legislation. In both cases, however, gun control advocates deemed regulations to be insufficient and were displeased with the lightness of the sanctions regimes. Disarmament advocates, on their part, were unsatisfied with the policies' lack of concern for firearm proliferation.

Ultimately, the discontent drew from the perceived incidence of civilian firearms in crime and violence. Brazil and Uruguay experience very different situations in this regard. When the Disarmament Statute was approved in 2003, Brazil had the second highest rate of gun deaths in Latin America (20,4 per every 100 thousand inhabitants) and was sadly known as the deadliest country in the world due to its record high absolute numbers of violent deaths per year. Uruguay, on the other hand, had historically high rates of suicide, but its crime levels were medium and its homicide rate (7,8 per every 100 thousand inhabitants) was one of the lowest in the region.

If rather than looking at fixed numbers, we examine the actual trends in crime, we find that both countries were suffering security crises with situations that were sharply deteriorating. Brazilian homicide rates had namely quadrupled between 1980 and 2003, while Uruguayan homicide rates experienced an important qualitative leap after 2011 and then continued growing steadily. In both cases, increases were largely due to important rises in firearm homicides as consequence of the appearance of organized crime and drug trafficking groups in the larger cities.

Indicators of firearm proliferation also played a role in the agenda-setting processes. Brazilian NGOs and research institutes invested on the matter to support their claims. Perhaps the most shocking finding was that among seized firearms in Rio de Janeiro, over 75 percent were Brazilian made and half had been previously registered by 'good citizens'. But indicators were perhaps even more relevant in Uruguay, despite the little attention given by local researchers. It was namely in 2007 when the Swiss Small Arms Survey research institute published its report on civilian firearm ownership and defined Uruguay as the 9th most armed country in the world. This estimation was eventually picked up by knowledge-brokers, local and international media, as well as by authorities, policy entrepreneurs and academics.

The influence of focusing events was very different in each case study. In Brazil, the climate of widespread violence makes it hard for individual episodes to draw public and media attention for more than a few days. On the contrary, Uruguayans are still used to low-intensity crime, so that the occurrence of especially violent episodes attracts the attention of the public and the media

²¹¹ BRASIL: Law n° 9.437/1997, February 20, 1997.

²¹² URUGUAY: Decree-law n° 10.415, February 13, 1943.

with ease. As a result, focusing events were not that important in Brazil, while a few dreadful episodes that occurred in Uruguay during 2009 and 2013 called the attention of the public and the media to the specific gun problematic.

Furthermore, the exacerbation of violence indicators had turned crime and insecurity into a main public concern. It was namely in 1997 when public opinion polls from São Paulo first showed that insecurity had become the most pressing problem for its residents. Uruguayan polls, on their part, declared crime and insecurity to be society's main public concerns for the first time in 2009, an opinion that turned majoritarian in 2011. Both Brazilians and Uruguayans had also experienced tremendous economic difficulties in the previous years. Brazil entered an economic recession namely in 1997 and suffered a huge drop in the value of its currency during 1999. Its economy began to recover in 2000 but was only improving steadily by 2002. Similarly, Uruguay's worst financial crisis ever occurred between 1999 and 2003, partly because of the Brazilian juncture. The Uruguayan economy only recovered pre-crisis levels by 2007. It is unclear to what extent these episodes had an influence on the timing of the agenda-setting processes. However, during crises of this magnitude, political concerns are fixed on poverty, unemployment and the general economy, relegating any other problem in the agenda.

Finally, the role played by knowledge-brokers was decisive for each policy process and for the dissimilar results. In both cases, knowledge-brokers and policy entrepreneurs became involved with the international SAM and imported a securitizing process, by which firearms were defined as a security problem. Brazilian NGOs, research institutes and activists were important members of the SAM during the end of the 1990s and beginning of the 2000s. They developed an impressive research agenda in a policy context in which information was scarce, gaining trust and credibility with each new discovery. In Uruguay, conversely, it was political policy entrepreneur and former congresswoman Daisy Tourné who first got involved with the SAM around the year 2000. She was joined in her framing efforts by activists and two small NGOs, but the problem never managed to arouse the interest of scholars and researchers. As a result, Brazilian knowledge-brokers carried out a very successful securitization process and many went on to become important policy entrepreneurs. On the contrary, Uruguayan knowledge-brokers did not enjoy much credibility among policy-makers and had a very hard time securitizing firearms. Their influence on the policy process remained limited as well.

7.2.2 Policy streams

In both case studies, the international SAM was the origin of the ideas that eventually evolved into the Brazilian Disarmament Statute and the Uruguayan RFOL. The Disarmament Statute also had a profound influence on the policy alternatives that were favored by disarmament and gun

control advocates in Uruguay. These origins already hint that the policy processes were not rational responses to local policy problems, since the ideas that shape policy alternatives were part of a much larger international advocacy movement.

Brazilian social movements, NGOs and academic institutions had been involved in social and security issues since the end of the military dictatorship, promoting progressive policy solutions to crime and violence. The idea of disarming society as much as possible came from these circles, as a way to decrease armed violence. An impressive research agenda began to emerge in a policy context in which information was scarce. By doing so, they left behind a network of security civil servants and formed a specific policy community on firearm violence and control. Their participants were mostly researchers and activists, largely pacifists who opposed violence and police brutality. They believed in a state that holds the monopoly of violence and in an active - but non-violent- role of civil society in the governance of security. Because they had similar backgrounds, knowledge and worldviews, fragmentation was very low, which explains why their ideas rose to prominence so easily.

The Uruguayan policy stream evolved very differently, since scholars and researchers were never attracted to the gun problematic. This is rather common for Uruguayan policy formation processes, where universities and research institutes only rarely focus on improving the rationality of policy decision-making. As a result, a specific research agenda was not established and a gun policy community never developed. Disarmament and gun control advocates had to disseminate their favored policy alternatives in a much broader policy network of security actors, where most participants saw firearms as traditional, ordinary and part of the individual right to self-defense. Persuasion was not possible and with time, the initial disarmament discourse lost its strength. Their ideas were softened up, as mutation and recombination processes modified disarmament proposals for deterring the illegitimate use of firearms by criminals while respecting their legitimate use by law-abiding citizens.

Overall, the Brazilian policy stream was marked by the inner consensus of a low fragmented policy community, in which disarmament and stricter gun control proposals could compete in the policy primeval soup and rise to prominence more easily. On the contrary, the Uruguayan policy stream was marked by the fragmentation of the security policy community, in which researchers and activists were a clear minority against civil servants and political actors.

One consequence of the low fragmentation of the Brazilian gun policy community was that its criteria of survival could be met by proposals that generated far less consensus outside the network. Instead, the Uruguayan security policy community was more heterogeneous and proposals had to find common ground with other security experts in order to raise to prominence. In a way, we could argue that the Uruguayan policy stream favored more moderate and consensual

policy ideas, while the Brazilian policy stream favored more ambitious and radical proposals. This point is consistent with an observation by Zahariadis and Allen (1995), who suggest that more integration and higher levels of consensus help innovation, as policy proposals develop and rise to prominence more easily.

7.2.3 Political streams

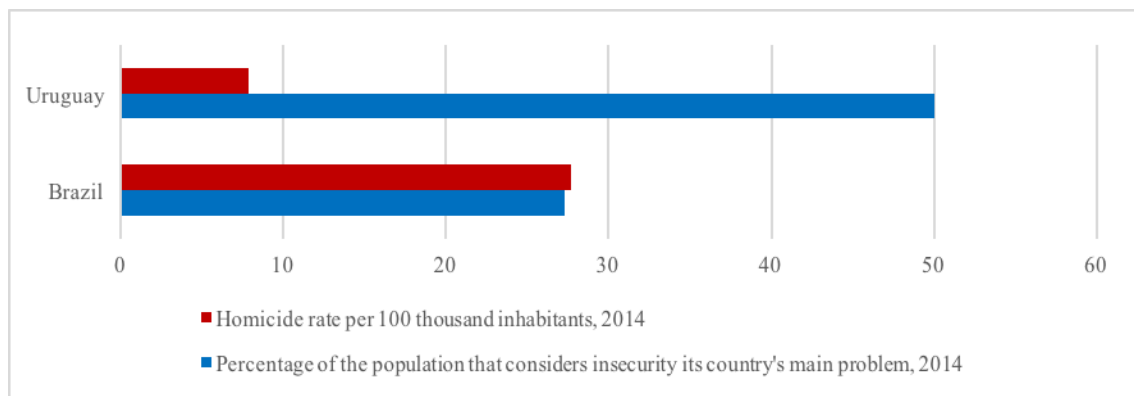
Other important differences between our case studies can be found in the political streams. This includes the larger electorate, where Brazilians and Uruguayans already presented differing viewpoints regarding the firearm problematic. In Brazil, public support for stricter firearm control policies seemed to be influenced by opposing ‘moods’ or ‘climates’. On the one hand, homicides and urban crime had been growing steadily for decades, creating a relentless perception of fear and insecurity among a society that had little or no confidence in the state’s capacity to protect them. On the other hand, Lula’s election in 2003 coincided with Brazil’s economic recovery and opened an era of hope for many Brazilian. For a large part of the population, the rise of the PT party came with a profound optimism in the success of a progressive leftist government and in the future of their country. Such fleeting optimism was partially responsible for a first swing in the national mood, which resulted in the massive support for disarmament proposals at the end of 2003. By 2005, the national mood had swung back and less than half of survey respondents supported the initiative.

This kind of optimism was largely absent in the second case study. Uruguayans usually have a very statist approach to politics, but the rising insecurity had produced a growing dissatisfaction with the police and the entire criminal justice system. As in Brazil, anyone who could resorted to private security measures and many acquired firearms for self-defense. The new demand for firearms reinforced what was an already strong national gun culture. Especially in the countryside, the possession and use of weapons is namely an intrinsic part of the culture and history of many Uruguayans, a folklore that is also present in Brazil, but only in the rural south. The security crisis and the strong gun culture created a particular national mood that gathered only very limited support for disarmament initiatives. We were not able to find any evidence of alterations in this regard. Uruguayans were –and still are- going through a period of punitive quiescence, increasingly demanding a more severe approach to criminals and insecurity. In this context, the only policies that could generate a favorable opinion were those directed at tackling the illegitimate use of firearms by criminals.

The less favorable support by Uruguayans to disarmament proposals could also be related to their stronger sense of fear regarding public insecurity (*see Figure 17*). Although crime and violence indicators are much higher in Brazil, regional opinions polls show that the Uruguayans’

perception of insecurity is among the highest in the region, and certainly much higher than the Brazilians' perception (LAPOP, 2014). This is because societies define their tolerance to insecurity in relation to their own recent past and not in comparison to their neighbors. Brazilians have namely become accustomed to insecurity, while Uruguayans are only getting used to it. It is also determined by the problem of agenda load, if there are more important problems in the country. In any case, it is ultimately the subjective fear of crime which leads regular citizens to change their daily attitudes and adopt measures of self-defense. In this regard, Zahariadis (2015) has suggested that in the face of uncertainty, strong emotions of fear make agenda-setting and policy change more difficult due to higher political costs, an assumption that might also help explain Uruguayan's higher aversion to disarmament.

Figure 17: Homicide rate per every 100 thousand inhabitants, and percentage of the population that considers insecurity its country's main problem, in Brazil and Uruguay, 2014



Source: Own elaboration, using data from UNODC (2017) and LAPOP (2014).

*Rates per every 100 thousand inhabitants.

Furthermore, Lula's accession to power in 2003 was not only fundamental due to the increasing optimism over the capacities of the state, but also for the strong ties between the *Partido dos Trabalhadores* (PT) party and the civil society organizations that were leading the disarmament movement. FHC's government (1995-2003) had shown public support for disarmament initiatives at the state level, but it was with Lula's election that the subject came to be at the center of the governmental agenda. Beyond naming gun control advocates in key administrative positions, his administration pressured legislators to introduce the issue in the legislative agenda and to prioritize the legislative process of the corresponding bills.

Uruguay's *Frente Amplio* (FA) was also close to human rights associations and had always been very critical towards the conservative and punitive policies of former governments. For these reasons, the electoral success of the leftwing party in 2005 pointed to a promising future for disarmament and gun control proposals. However, the strong factionalism of the leftwing

coalition ended any legislative intent in that regard. The close relationship with firearms of many of its leaders precluded any consensus regarding the gun problematic, neither within the government nor within the governing party. It was only during the second FA government (2010-2015) that rising insecurity convinced the authorities of the Ministry of Interior of the need to restrict the firepower of civilians through a more comprehensive gun policy.

At last, the pressure exerted by interest groups to influence the policy process was also vastly different from one country to the next. Brazilian social movements, non-governmental organizations and academics led a formidable and intense advocacy campaign on the need for civil disarmament and stricter gun control policies. They relied on the constant support of the powerful Globo Network -the largest media group in Latin America-, advertising companies and famous artists. Through public events, media exposure and empirical research, they managed to gather enormous support behind their initiative and systematically reintroduce the issue in the public agenda between 1997 and 2005.

Opposing interests were also represented in Brazil through the '*lobby da bala*' (Bullet Lobby), which unites the powerful Brazilian weapons industry -the sixth largest in the world- with various gun businesses and user associations. These actors probably tried to influence policy-makers to oppose any additional regulations at all times, but our findings suggest that their counter-campaign only intensified years after the activities of gun control advocates. Indeed, gun rights advocates were practically idle until the issue entered the governmental agenda and only got heavily involved in view of the Disarmament Statute's approval in 2003. From that moment on, they began a costly and intense pressure campaign that ended up being decisive for their victory in the plebiscite of 2005.

If the formation process of the Disarmament Statute stands out for the strong involvement of non-governmental actors, the Uruguayan case is notable for their absence. On the one hand, disarmament and gun control supporters were represented by two small human rights NGOs, which largely advocated for civil disarmament through public awareness-raising campaigns. But as the security crisis worsened and the lack of political support became more evident, their original position turned more moderate and became more focused on enhancing gun control. Furthermore, there were also a few associations that defended the right to own and use firearms for self-defense, hunting or sport shooting. These associations openly questioned the efficacy of disarmament programs and opposed most measures that could hinder the civilian's access to guns. Nevertheless, their depiction as a local gun lobby would be exaggerated, since their advocacy activities were almost negligible and limited to declarations in the media and a few hearing requests in Parliament.

Ultimately, whether supporting gun control or gun rights, pressure campaigns by interest groups were rather modest in Uruguay. Their low levels of engagement are not exceptional and respond to the historical predominance of political parties in Uruguayan politics, a structural phenomenon for which the political system is often described as a ‘partitocracy’. The influence of political parties in the policy process is usually disproportionate, working as effective mediators of other political actors, channeling their pressures and demands to policymakers. The opposite may be true in Brazil, where political parties suffer from low levels of legitimacy as central actors of the democratic process. This characteristic of Brazil’s political system, added to the existence of public domains in which the state is effectively absent, could easily favor the political participation of civil society organizations.

Lastly, gun control was not a primarily partisan political issue in neither case, but rather a geographical one. In Brazil, leftist politicians supported disarmament and further regulations with greater likelihood. However, most policy makers that defended the *status quo* came from the rural south, where the weapons industry is most present and the firearm culture is the strongest. In Uruguay, all major parties had confronted positions on the matter. Nonetheless, traditional parties –*Blancos* and *Colorados*– are especially popular in rural areas and among conservative voters, which tend to have a stronger traditional gun culture, whereas the left-wing party *Frente Amplio* has close ties with progressive voters and civil society organizations from the capital.

7.2.4 Agenda- and decision-couplings

Both case studies exemplify successful and unsuccessful attempts by policy entrepreneurs to couple the multiple streams together and introduce changes in gun control policies. After the previous contrast of the different variables of each stream, the comparison of the agenda and decision coupling processes will allow us to weigh each variable’s importance and influence in relation to the performance of policy entrepreneurs and to the final policy outcome.

Broadly speaking, the Brazilian agenda-setting process began during the first half of the 1990s, but the actual coupling process started in 1997. Both processes started a few years later in Uruguay, partly because they were heavily motivated by the Brazilian experience. The involvement of Uruguayans with the SAM occurred at the end of the 1990s and the agenda-setting process did not start until around 2002. Moreover, agenda coupling was achieved in Brazil in 1999 and then again in 2002, after which a successful decision coupling occurred in 2003. Agenda coupling was completed in Uruguay in 2004 and then again in 2012, with a successful decision-coupling one year later. In both countries, policy entrepreneurs needed around two years to couple the streams together and complete the agenda-coupling process. However, decision couplings

would not occur until many years later: Six years in the case of Brazil, ten years in the case of Uruguay.

Brazilian policy entrepreneurs were not only more efficient from a time-scale perspective, but also regarding the scope of the changes accomplished. Even considering the loss of the 2005 referendum, which left the Disarmament Statute in place but without the ban on the sale of firearms to civilians, all Brazilian interviewees agree that the final policy change was disruptive and non-incremental. In contrast, the ROFL implied a policy change of an incremental nature, as confirmed by Uruguayan interviewees.

The different outcomes can be explained by four major factors. First, by the dissimilar number, resources and credibility of knowledge-brokers. Indeed, Brazilian academics and researchers were very much involved in security matters and were largely successful in framing guns as a security problem. On the contrary, there was only a small number of activists acting as knowledge-brokers in Uruguay, who did not have the resources nor enjoyed of the necessary credibility to undertake such a securitizing process.

A second important element was the differing fragmentation of the policy communities. The Brazilian firearm policy network had very low levels of fragmentation, which allowed more radical policy alternatives to rise to prominence more easily. Conversely, the Uruguayan security policy community had a higher level of fragmentation and disarmament ideas could not pass the community's criteria of survival.

A third important factor was related to the resources of policy entrepreneurs. The larger success of Brazilian entrepreneurs was a matter of resource commitment, since disarmament advocates enjoyed the support of the media and could carry out massive public demonstrations to pressure policy-makers. This was not the case of Uruguayan entrepreneurs, who hardly counted with any finance and exposure. Without sustained support of any kind, they were forced to moderate the scope of their policy goals and even change their directional logic, going from civilian disarmament to a more comprehensive gun control policy.

Finally, a last decisive factor was the national mood, as Brazilians and Uruguayans had opposing viewpoint regarding the gun problematic. Despite the insecurity, Lula's election in 2003 coincided with the country's economic recovery and produced a sensation of hope for many Brazilians. Such optimism, fueled by the massive advocacy campaigns by disarmament interest groups, led to a first swing in the national mood in 2003 that resulted in a massive support for disarmament proposals. By 2005, the national mood had swung back and less than half of survey respondents supported the initiative. This optimism was largely absent in Uruguay, where most people were profoundly dissatisfied with the entire criminal justice system. It did not help either that many Uruguayans have a very strong gun culture, especially in the countryside. There were

no national mood swings as a result, but an ongoing period of punitive quiescence that did not favor any type of disarmament proposal.

Despite these differences, there were also important parallels among both case studies. The first was the need for several attempts to build a legislative majority around their proposals. In both cases, policy entrepreneurs managed to introduce disarmament and gun control in the decisional agendas, but failed to translate these initial coupling processes into favorable policy decisions. These failures -or rather setbacks- were related to the unpreparedness of the political stream. Either because of the lack of policy windows or because of the lack of support by policy makers who, coincidentally, belonged in both cases to the same party or governing coalition as the proponents of the bill. These chains of events point at institutional characteristics of the political systems in question. Namely, that the number of actors with veto power over the decision-making process can be relatively large in both political systems. In Brazil, due to the fragmentation of the party system, which makes governing coalitions very likely. In Uruguay, because of the strong factionalism of its political parties.

Policy entrepreneurs needed therefore a second attempt for decision couplings to succeed and gun policies to change. The experience of the previous failures seemed to make them more aware of the need to wait for proper windows of opportunity that could arouse greater support by their peers. In both cases, the reintroduction of the gun issue in the political agendas occurred several years after the first attempts and had completely different outcomes. The second time around, entrepreneurs managed to build greater legislative majorities around their proposals and get them sanctioned.

The successes of the second decision coupling processes can be traced back to several factors that were present in both cases and were used as policy windows. In the first place, crime and insecurity were the most pressing problems for the public at the time. This subjective indicator comes from public opinion polls and responds to a serious deterioration of the security situation in both countries, also exacerbated by a lack of trust in institutional security actors. It is not only a matter of public security, however. In both cases, unemployment and economic problems were no longer relegating insecurity to lower positions in the agenda, which is why the absence of economic crises could also have been a necessary condition.

A second influential element that both cases shared in the problem streams was the presence of firearm-related conditions that were sufficiently compelling for policy makers to consider them as legitimate problems. In Uruguay, the initial agenda-setting process promoted gun control as a policy solution to suicides and gender violence, conditions that did not call the attention of the public and most policy makers. The little presence of knowledge-brokers did not help either in this regard. The condition that finally made the difference –and was present in Brazil from the

outset - was the rise in homicide numbers due to higher rates of firearm homicides. Beyond the loss of lives, this condition is associated to the greater presence of drug trafficking and organized criminal groups in the territory, a situation that elicits fear in the region due to its larger and devastating consequences. Ultimately, this element shows how the disarmament and gun control discourse gains strength when defined as a policy solution to criminal violence. The coupling to other types of firearm violence (domestic or gender violence, suicides, accidents) is possible, but apparently does not carry the same strength.

Furthermore, another essential factor seemed to be the active involvement of the Executive Branch in the decision-making process. Both in Brazil and Uruguay, it was the effective pressure of the presidency over legislators that motivated a more receptive consideration of the bills. The presidential engagement was decisive when the governing party only had a simple majority in parliament, but also when it enjoyed an absolute majority. Its significance highlights the predominant role that the Executive Branch plays in presidential systems during policymaking. Nevertheless, the first decision-coupling attempt by Brazilian policy entrepreneurs failed, despite the political support of President FHC. We can therefore argue that the active involvement of the Executive Branch is an important but insufficient condition for a successful decision-coupling process.

Finally, it is worth noting the importance of mechanisms of direct democracy in our case studies. The most controversial element of the Brazilian Disarmament Statute was the ban on the sale of firearms to civilians, which was namely decided on a national referendum. The move ended up being a political disaster for policy entrepreneurs, as voters decided not to authorize the controversial measure. Such a transfer of decision-making power to the electorate was a novelty in Brazil's political history, but it is a central element of the Uruguayan policymaking process. The use of mechanisms of direct democracy is namely common in Uruguay, mostly in the form of referendums to repeal laws passed by congress and to reform the constitution itself. Like in the Brazilian disarmament referendum, their use can extend the decision-making procedure and add a new instance in which a law or proposal can be modified or vetoed. As a result, the mere possibility of calling a referendum already imposes constraints on policy changes, because the threat of a policy reversal makes changing the *status quo* more expensive in political terms.

7.3 Contingent generalizations

The previous sections analyzed the role that the different variables of each case study played on the divergent policy outcomes. The next step is to deduce if these findings are prone to contingent generalizations (George and Bennett, 2005). That is, if the specific findings of our case studies are likely to inform similar situations in similar contexts. This could be other gun policy processes

in Latin America or simply our overall understanding of policy processes in the region. We are also interested in the applicability of the MSF. To prove if the theoretical findings of our case studies can be extrapolated and lead to adjustments that elevate its suitability to explain policy processes in the region. The final sections of this chapter will address these concerns.

7.3.1 Gun policy processes in Latin America

Brazil and Uruguay experienced differing but successful agenda-setting processes, consistent with the MSF's fundamental premise. Namely, that "an agenda-change becomes more likely if the streams are ripe, a policy window opens and a policy entrepreneur is present to couple the streams" (Zohlnhöfer and Rüb, 2016b: 6). We believe this premise applies indiscriminately to policy processes in democratic political systems, including Latin Americans. The question now is which specific elements are likely to favor the successful entry of gun control in the decisional agendas of Latin American states?

- The occurrence of an enduring public security crisis, whereby crime and violence appear among the most pressing problems for the public (problem stream);
- The non-occurrence of an economic crisis, due to which poverty, unemployment and the general economy relegate insecurity to lower positions in the agenda (problem stream);
- A general increase in homicides committed with firearms, which in the current Latin American context is usually associated to the greater presence of organized crime and drug trafficking groups (problem stream);
- The active pursuit of a firearm securitization process by local activists and academics (problem stream, policy stream & political stream);

Broadly speaking, most countries of the region experienced public security crises and homicide increases since the late 1990s. However, recurrent economic problems and high levels of poverty are common and can relegate the impact of insecurity and homicides to lower positions in the agenda. In addition, the involvement with the international SAM and the pursuit of a firearm securitization process cannot be taken for granted, because social researchers and civil society are not always involved in security matters.

Furthermore, our case studies present prosperous but also very divergent agenda-setting processes. Brazil is the notorious regional exception in this regard, with gun control occupying a prominent position in the public and political agendas for many years. Uruguay follows a pattern that is closer to that of most countries in the region, since agenda and policy changes occurred but

were rather secondary and went mostly unnoticed to the general public. Which factors are likely to favor that gun control occupies a prominent position in the public and political agendas of Latin America?

- An effective securitization process carried out by credible knowledge-brokers and policy entrepreneurs (problem stream);
- The development of a research agenda on firearm violence and control (problem stream & policy stream);
- The existence of a firearm control policy community with low levels of fragmentation (policy stream);
- The absence of a strong gun culture (political stream);
- High levels of resource commitment by civil society actors and non-political policy entrepreneurs, in order to provide the agenda-setting process with a prominent bottom-up dimension (political stream & agenda-coupling process).

The elements of the previous list explain the Brazilian exceptionality regarding the prominence of gun control in the public and political agendas. Very few countries in the region namely have the capacity to pull off these requirements. First, the relationship between scientists and policy makers is usually not institutionalized in a way that encourages the involvement of the first in specific political problems. Similarly, not many societies have the research and academic potential to develop a local research agenda on security matters, let alone on gun issues. Argentina, Brazil, Chile and Mexico might be the best positioned in this regard. The third element is directly related to the second, since the existence of a favorable firearm control policy community with low levels of fragmentation is dependent on a relevant and active participation of scholars and academics in those issues. The same applies to the fourth element, although with a distinction. Civil society actors are not usually capable of leading enduring advocacy campaigns for too long in Latin America. However, it is worth mentioning that the external funding of advocacy campaigns on progressive issues has become an increasingly common practice in the region. Fifth, most societies do not have strong gun cultures. Uruguay is an exception in this regard, next to Paraguay and Guyana, among others (Karp, 2012).

Finally, both case studies presented successful and unsuccessful decision-coupling processes during the studied period. Since the different outcomes can be traced back to changes in the variables of each stream, we are also able to suggest two factors that are likely to favor the adoption of disarmament or gun control proposals by policy-makers:

- The formulation of policy alternatives within a criminal security discourse, in which disarmament or gun control is convincingly portrayed as a policy solution to homicides or professional criminal activity (problem stream & policy stream);
- Proposals are made by a governing party or coalition that is not constrained by other veto actors (political stream & decision-coupling process);

The first element of this list is usually the norm, rather than the exception. Unlike in Uruguay, suicide numbers are habitually low in the region, whereas firearm homicides suppose a common problem for all countries. Thus, gun control is usually framed as a solution to homicides and not to other types of armed violence. Moreover, both case studies underscored the need for legislative proposals to have the backing of the governing party or coalition, as well as the difficulties posed by the needed compliance of other veto actors. Therefore, policy adoption is more likely if the proposal is put forward or supported by a governing party or coalition, and the number of veto actors is low. This includes low levels of party system fragmentation and party factionalism, as well as mechanisms of direct democracy. The final section of this chapter will analyze the applicability of the extended MSF to Latin American policy processes.

7.3.2 The extended MSF

Once we have explained the differences and similarities of the divergent policy outcomes and identified possible generalizations, our final task is to discuss the suitability of the extended MSF to explain agenda and policy changes in the region or in developing countries. The selection of Brazil and Uruguay as our empirical case studies implied an added value in this regard, as these are countries that present important contrast in most areas of interest, as well as on their level of development, dimensions, complexity and power. Hence, their comparative analysis could give us some sense on the conditions under which the MSF and its extensions work best.

7.3.2.1 Applicability

In this sense, we can firmly say that the extended MSF was largely able to provide comprehensive explanations for the agenda and policy changes that preceded the Brazilian Disarmament Statute and the Uruguayan RFOL. Furthermore, our study proved that this modified version of the MSF is capable and well suited to explain why agendas and policies change or stay constant in Latin America. The variables of each stream and the premises of the framework sufficed to explain the outcome: Streams were ripe, policy windows opened and policy entrepreneurs were present to couple the streams (Zohlnhöfer and Rüb, 2016b: 6).

Regarding the applied modifications (Herweg et al., 2015; Knaggård, 2015, 2016; Zahariadis, 2003; Zohlnhöfer et al., 2016), it is fair to say that the original MSF (Kingdon, 1995) could probably have provided a satisfactory explanation of the different agenda-couplings, although leaving various important questions in the air. The applied modifications did not just allow to analyze the posterior decision-making processes, but were also capable of supplying a much more comprehensive explanation of the policy trajectories.

The first modification that we applied was the incorporation of the additional variable ‘problem load’ in the problem stream. Proposed by Zahariadis’ (2003: 154), this parameter acknowledges that the attention policy makers pay to issues largely depends on the number of difficult problems occupying their attention. This is certainly a difficult circumstance to operationalize, since only they know what is taking up their time at any given moment. To solve this problem, we resorted to the classical ‘most important problem’ question of public opinion surveys. And since policy-makers abide by an electoral political logic, we also considered those issues that were identified as the most relevant for voters in the face of presidential elections.

When applied to our empirical case studies, the ‘problem load’ variable allowed the recognition of other problems in the stream that hindered or delayed the reform of gun policies. The most important of them was the ‘*mensalão*’ corruption scandal of 2005 in Brazil, which proved to be decisive for the final outcome of the decision-making process. ‘Corruption’ was namely one of the most pressing issues for voters that year and it was one of the defining reasons behind the defeat of disarmament advocates in the Disarmament Statute’s referendum. In this case, it was the electorate who acted as a decision-maker and prioritized ‘corruption’ over the ban on the sale of firearms to civilians.

The variable ‘problem load’ also pointed at the economic crises that shook both countries at the turn of the century and frustrated the parliamentary processes of the initial gun control-related bills. It should be noted that these episodes were not crucial for explaining the final policy outcomes, which were rather the result of new policy processes that followed the previous unsuccessful attempts. However, their consideration underscored the importance of economic problems in the agenda-setting processes of developing countries. Indeed, economic problems are a common priority everywhere, but it would make sense if their influence was even more powerful in developing nations. Their economies are frequently precarious, so that adverse economic junctures can have a devastating impact on society and thus an especially powerful influence on agenda-setting and policy decision-making. So much indeed, that even extreme rates of violence are pushed into the background by unemployment, extreme poverty and humanitarian emergencies. This was the case both in Brazil and Uruguay, where it was only after the economic recoveries that crime and violence became the priority of the public and voters alike, and it was only then that political streams turned ripe enough for decision-couplings to take place.

We applied a second modification, in the form of the additional variable ‘knowledge-brokers’, who Knaggård’s (2015, 2016) defines as actors that frame conditions as political problems without necessarily having the intention of coupling them to specific policy alternatives. Their inclusion in the problem stream turned out to be fundamental for the results of the comparative analysis, as knowledge-brokers were among the most important reasons for the dissimilar agenda and policy outcomes. This is because the securitization of firearms is actually a framing process and its efficacy depends on the efforts, capacities and credibility of knowledge-brokers and policy entrepreneurs. It is therefore a good example of the need to include agency in the problem stream and justifies the adoption of Knaggård’s modification. In this regard, Brazilian academics and researchers were heavily involved in framing gun proliferation as a public problem. Conversely, Uruguayan scientists never got involved with the issue and left this task in the hands of activists and politicians, whose credibility was not enough to pull off a successful securitization process.

Knaggård (2016: 120) suggests that the role of knowledge-brokers frequently depends on how the communication between scientists and policy makers is institutionalized in each context. In this regard, Brazilian academics and researchers seem to play an important role in framing certain conditions as public problems. They are usually organized in universities, research institutes and NGOs, have access to resources and focus a great deal on applied science. This, along with the lack of legitimacy of most political actors and the many policy areas that present governance voids, provides them with enough credibility to participate in the process and give meaning to the other variables in the stream. On the contrary, Uruguayan universities and research institutes usually concentrate on pure science and get less involved with particular policy problems. This might be a consequence of the exceptional predominance and legitimacy of political parties in the country, as policy-makers do not regularly demand specialized knowledge to solve policy problems. Instead, they are the ones that frequently frame problems and design policy solutions. The result is a rather deficient relationship between social research and policymaking.

At last, in a possibility that was also anticipated by Knaggård (2016: 115), the increased credibility of Brazilian knowledge-brokers led many of them to cross over to other streams. Many worked on policy alternatives and some even pursued a career in politics. The latter logically developed a close connection to policy makers that ended up being crucial for their efficacy as policy entrepreneurs. Again, this was not the case in Uruguay, where most knowledge brokers stayed in the problem stream, even resulting in the lesser presence of specialized knowledge in policy communities. On the one hand, we hypothesized that this could hinder the development and evolution of progressive policy ideas. On the other, that it also facilitates the empirical and theoretical distinction between knowledge-brokers, developers of alternatives and policy entrepreneurs. Thus, arguably, Knaggård’s knowledge-brokers are especially suited for actors that

decide to stay in the problem stream. Their presence across streams blurs the concept and complicates their analysis.

The third and last applied modification was the separation of the coupling process in two stages (Herweg et al., 2015; Zohlnhöfer et al., 2016). Agenda-coupling refers to Kingdon's original coupling process. If successful, its output is a worked-out policy proposal that moves from the governmental agenda into the decisional agenda and requires an authoritative decision by policy makers, like a bill that is introduced in parliament. If the negotiations with veto actors is successful, a decision-coupling occurs, which ends with the adoption of the bill. This separation provides the opportunity to acknowledge additional institutional constraints and study policy decision-making in its entire complexity. Regarding our empirical analyses, several results are worth mentioning.

The first is its usefulness to distinguish additional stages of policy trajectories. As we have just seen, both case studies included unsuccessful decision-coupling processes during the studied period, in which the legislative proposals were rejected by veto actors. If agenda-setting and decision-making would be merged into a single coupling process (Zahariadis, 1995, 2003), then it would not be possible to explain why the agenda changes were not followed by policy alterations. It would not be possible either to explain why the final policy output in Brazil was so different from the original proposal. Indeed, the Disarmament Statute not only suffered major changes during the legislative process, but the ban on the sale of firearms to civilians was vetoed two years later in a referendum, the last decision-making phase.

Secondly, the inclusion of the decision-coupling process also allowed a more rigorous consideration of formal institutions (Herweg et al., 2015; Zohlnhöfer et al., 2016). Whereas the original MSF only considers administrative and legislative turnovers, the decision-coupling stage demands the examination of actors with veto power and the majorities that suffice to adopt a policy. This led us to discover the influence that party system fragmentation and factionalism had on the policy processes. Hence, the high levels of fragmentation of the Brazilian party system make governing coalitions very likely, which was the case in 1999, when the coalition partners of FHC did not give their legislative support for his government's disarmament proposal. Similarly, it was the strong factionalism of Uruguayan political parties which caused the gun control initiative of 2004 to be rejected by a political majority of the same party as the proponents of the bill.

The influence of these variables went beyond the decision-making procedure. Political actors and policy entrepreneurs namely anticipate the transition of policy ideas to the larger political arena, as well as their receptivity by the public and decision makers. Veto actors are thus considered in advance and policy ideas are modified accordingly. Kingdon (1995: 137–139) considers this

possibility in the policy stream but in a rather loose fashion, without directly pointing at institutional variables. He could be right to do so, since most actors involved are not rational, but overwhelmed by ambiguity. Hence, it is unclear to what extent policy proposals are really modified in anticipation. Nevertheless, policy entrepreneurs and policy makers can also be involved in the development of alternatives and they are certainly more aware of veto actors.

Additionally, the institutional settings of our case studies allowed the possibility of using mechanisms of direct democracy to change laws or reform the constitution. This was an exceptional circumstance in Brazil, but it is a highly common feature of Uruguayan politics. In such cases, the role of these instruments goes beyond the decision-making process, because the mere possibility of using them already imposes constraints on policy changes. Thus, the credible threat of policy reversals makes changing the *status quo* more expensive in political terms. This possibility was not really taken into account by the MSF. The framework does not consider institutional constraints during the agenda-setting process, a limitation that was already pointed out by various scholars (Zahariadis, 2016; Zohlnhöfer et al., 2016).

Beyond this deficit, it is worth discussing if the decision-coupling process is able to explain policy outcomes that result from referendums or other mechanisms of direct democracy. Its developers never refer to such a possibility (Herweg et al., 2015; Zohlnhöfer et al., 2016), even though many institutional settings provide the electorate with the possibility of acting as veto actors or as a political majority that is needed for a policy approval. We believe that the extended MSF has this capacity, as long as the mechanism of direct democracy is projected as an extension of the decision-making procedure. That is, in cases in which political policy-makers agree on extending the decision-making process and transfer veto and decision-making powers to the electorate. This was the case of the referendum of the Disarmament Statute, which was authorized and organized in the legislation approved by Congress. This is a rare sequence of events, however, as most referendums are requested by policy opponents to ratify or reject policy decisions that were not intended to be revised. In such cases, we would rather be facing whole new agenda- and decision-coupling processes altogether.

7.3.2.2 Limitations and possible adjustments

Beyond the already mentioned disregard for institutional constraints during agenda-setting, we found a couple of limitations that could be specific to the application of the MSF in developing countries. The first is an inconsistency regarding the role of ‘visible’ and ‘hidden’ participants in the agenda-setting process. According to Kingdon, it is the visible participants, which include politicians, the media and political campaigners, who largely influence agenda-setting. NGOs and social movements are among the hidden participants, who develop most of the policy alternatives,

proposals and solutions (1995: 199–200). However, this was not the case in Brazil, where NGOs like *Sou da Paz* and *Viva Rio* were tremendously influential and provided agenda-setting with a notorious bottom-up dimension. In this sense, the support they received from the media conglomerate Globo Network was decisive, since it provided them with a level of exposure that was beyond their resources.

This could be only a singularity of the Brazilian gun policy process. Nonetheless, the prominence of NGOs and social movements is also consistent with the dynamics of the SAM in many other countries and even at the global stage (Álvarez Velasco, 2016; Cukier and Sidel, 2006: 9). Hence, this could arguably be a particular feature of developing countries, where governance voids and illegitimate political authorities favor the participation of organized civil society in certain policy areas, such as poverty reduction, housing, health or security. This is not unheard of, since it is common for popular initiatives to complement –and sometimes even substitute– state policies and institutions in the region, especially in societies with an absence of effective representation, participation, and accountability (cf.: Helmke and Levitsky, 2006). Thus, it makes sense that Kingdon would not acknowledge a more notorious participation of civil society actors in the agenda-setting process. First, because the ‘golden age’ of national and international NGOs took place during the 1980s and 1990s, after the development of the original framework. Second, because such a visible participation in agenda-setting would be mostly noticed in the context of weak states and illegitimate political actors.

Admittedly, the Uruguayan case did not support this argument and even underscored the hidden participation of these actors. However, the analysis showed that this is probably a consequence of the disproportionate influence that political parties enjoy in the local policy process. Indeed, Uruguayan society is highly party-centric, its political parties enjoy high levels of legitimacy among the population and conform the dominant mechanisms of representation and expression of political interests. In this regard, Uruguay can be considered an exception in Latin America, as pointed out by the regional literature on political legitimacy. Brazil is more in line with the large majority of neighboring countries, where politicians and political parties usually enjoy very low levels of legitimacy (Alcántara-Sáez, 2012; Güemes, 2016; LAPOP, 2014; Power and Cyr, 2009).

Finally, we believe that our case studies show that the modified MSF is good at explaining policy change, but not so much at accounting for the scope of these variations. The approval of the Brazilian Disarmament Statute supposed a disruptive policy change, while the approval of the Uruguayan RFOL only implied an incremental variation. Comparing the core elements and processes of the MSF, the contrasting outcomes could be explained by the dissimilar credibility and presence of knowledge-brokers, the differing fragmentation of policy communities, opposing national moods, and by the very different commitment of resources by policy entrepreneurs. In comparison, Brazilian knowledge-brokers were very effective; the Brazilian policy community

had higher levels of consensus and allowed disruptive policy alternatives to rise to prominence more easily; disarmament and gun control proposals were widely supported by Brazilian voters; and the Brazilian policy entrepreneurs carried out long and massive advocacy campaigns that pressured policy-makers and turned the political stream more sensitive to their demands.

These accounts make sense, but seem insufficient. Ultimately, all or most variables in the framework accounted for these differences to a certain extent, which exceeds the explanatory mechanisms of the framework. This is not surprising. After all, the primary focus of the MSF is agenda-setting, while only subsequent extensions have explicitly emphasized the decision-making process. This shortcoming also happens because the MSF does not really emphasize how its core elements relate to each other to produce differing outcomes, at least not explicitly. Policy entrepreneurs use policy windows for joining the streams, but there is no explicit account on how the variables, elements and processes influence themselves. We observed dynamics of this kind in our case studies, which we felt that the MSF was unable to acknowledge.

In this regard, a promising path could be related to the incidence of negative and positive feedback processes, as included by Baumgartner and Jones (2009) in the Punctuated Equilibrium Theory (PET) (*see 4.3.3.2*). Without going into details, negative feedback processes produce incremental policy changes or no changes at all. Instead, positive feedback processes lead to disruptive changes and occur when there is a disagreement about the framing of a policy issue in a subsystem or policy community. This empowers marginalized interest groups who seek alternative solutions and leads them to engage in ‘venue shopping’, strategically moving across jurisdictions to find sensitive policy-makers. New political actors and jurisdictions become involved with the issue and an exponential agenda-setting process begins. The expansion turns unstoppable and the dominating policy image is challenged. If enough policy makers are convinced by the new problem definition, a collective attention shift occurs and a non-incremental policy change follows.

Such a process resembles to some extent the dynamics that transpire inside Kingdon’s policy stream: ideas float around the policy primeval soup until they attract the attention of policy entrepreneurs, who then try to couple the streams and find receptive policy-makers. However, positive feedback processes appear to generate a snowball effect, influencing knowledge-brokers, policy designers in the policy community, interest groups, policy makers and even the broader public. Hence, it seems to include an expansive effect that rallies other actors to the cause and provides the process with further dynamism. The MSF shares common ground with chaos theory and is sensitive to initial conditions, so that it implicitly acknowledges feedback processes to a certain extent (*see 4.3.2.1.4*). Nonetheless, a more explicit approach cut across its core elements and supply a communication channel between different variables. It could help explain various dynamics that we observed in our case studies. For instance, how the national mood might vary

in reaction to an agenda-setting process or due to a very successful securitization campaign by knowledge-brokers. Or how the Brazilian national mood was heavily affected by a corruption scandal that irrupted in the problem stream.

Having said that, we are under no illusions over the difficulties that feedback processes would entail for the MSF, even for the basic functioning of its internal mechanisms. Among other reasons, because it might mean giving up the independence of each stream and all that this implies.

Chapter 8: Conclusions

The last chapter of our study will summarize the general results of the empirical analysis, state its limitations and discuss possible future lines of research.

8.1 General conclusions

Our study pursued research objectives of a theoretical and empirical nature. We will first discuss the empirical research objectives, which were centered in providing explanations for the agenda-setting of the gun control issue in Brazil and Uruguay, as well as for the policy changes and variations that led to the Disarmament Statute in 2003 and the RFOL 2014. To this effect, we applied an extended version of John Kingdon's (1995) MSF to both case studies, which allowed us to provide comprehensive explanations for the agenda and policy changes under study. This section will first present a short summary of each case study and then analyze the results of the investigation in view of the research questions that were stated in the introduction.

Thus, the policy process that led to the Brazilian Disarmament Statute (2003) can be traced back to the small arms movement (SAM) and to a steady increase in homicide indicators since the 1980s. Well into the 1990s, Brazilian academics and activists adhered to an international firearm securitization process that associates firearms with high levels of armed violence. It was around 1999 when the agenda-setting process began, with proposals ranging from stricter gun control measures to a comprehensive ban on the sale of firearms to civilians. With the help of the *Globo* Network, advertising companies and famous personalities, local NGOs and social movements began to publicly promote disarmament proposals. Acting as policy entrepreneurs, they capitalized the policy windows at their disposal and coupled their policy solution to the homicide epidemic. The first agenda coupling occurred in 1999, when dozens of firearm control-related bills were introduced in the National Congress.

The irruption of a serious economic crisis and the uncertainties regarding the public's support for these measure, prevented entrepreneurs from forming a political majority, so that their legislative initiatives were eventually turned down. The radical agenda change did not translate into a change in policy. Nevertheless, the policy and problem streams remained loosely coupled, partly due to the continuous advocacy efforts by policy entrepreneurs inside and outside the political system. It was finally in 2003 when the matter reentered the decisional agenda. This time, political entrepreneurs were able to exploit the policy window that opened with the change of the federal government and build a political majority around their proposals, achieving a disruptive change in terms of gun control policies. A successful decision-coupling had been achieved. The policy process ended in 2005 with a popular referendum, whereby voters decided not to authorize an article of the Statute that banned the sale of firearms to civilians.

The public and political debate in Brazil and the approval of the Disarmament Statute –as well as other successes of the SAM at the turn of the century- motivated Uruguayan gun control advocates to publicly associate firearm proliferation with domestic violence and the rise in suicide indicators. However, the strong local gun culture and the relatively low levels of homicide prevented disarmament ideas from gaining prominence in the security policy community. More moderate proposals were eventually picked up by political entrepreneurs from the *Frente Amplio* party (FA), who tried to couple the streams for the first time in 2004. They managed to present a bill in Parliament and carry out the agenda-coupling process. The political entrepreneurs enjoyed an absolute majority in both chambers, but the lack of knowledge-brokers and policy windows, the low levels of resource commitment, the traditionally strong gun culture, the economic crisis and the low levels of firearm homicides, all hindered the formation of a political majority and a full decision-coupling of the streams.

This situation would only change as of 2011, when the rise in firearm homicides convinced more actors in the security policy community of the need to tackle gun proliferation, as well as of the deficiencies of the policies in place. The rise in homicides opened a problem policy window that political policy entrepreneurs did not miss. The Interior Ministry picked up their most moderate ideas and presented a new bill in 2012, thus successfully coupling the streams together again. It was the eventual involvement of the Presidency, pressuring the governing-party majority in Parliament, that proved essential to achieve a successful decision-coupling, approve the proposal and carry out a gun policy change of an incremental nature.

The policy processes that led to the Disarmament Statute in Brazil and the RFOL in Uruguay were contrasted using the comparative method. The empirical research objectives were captured by two corresponding research questions. These will be analyzed hereunder.

First empirical research question:

Firearm control and agenda-setting: Why did the firearm control issue gain prominence in Brazil but went mostly unnoticed in Uruguay?

Both case studies exemplify successful attempts by policy entrepreneurs to couple the streams together and introduce the gun control issue in the decisional agenda. However, each process transpired very differently and ended in dissimilar outcomes. The joining of the streams produced a disruptive agenda change in Brazil, causing an intense and ongoing public debate during the second half of the 1990s and first half of the 2000s. On the contrary, Uruguay's agenda-setting process followed the general pattern in the region, ending in an incremental agenda change and gathering only very limited public and political attention. The comparative analysis allows to

conclude that the different outcomes can be explained by four major factors: the dissimilar participation and credibility of knowledge-brokers, the distinct resources and capacities of policy entrepreneurs, the opposing political climates regarding the firearm problematic, and the differing fragmentation of the policy communities.

The first relevant factor was the dissimilar participation and credibility of knowledge-brokers in the problem streams. Brazilian academics, researchers and activists were involved in the problematic and worked as effective securitization agents, framing firearm proliferation into a policy problem and giving meaning to the other variables in the stream. Their research in a policy area in which there weren't many certainties gained them the respect of practitioners and policy-makers alike. Their credibility allowed them to transcend the problem stream and have a strong influence in other stages of the policy process. This was not the case in Uruguay, where universities and research institutes are usually more focused on advancing their scientific fields and do not get involved with concrete policy problems. This is especially true for security matters. The gun problematic did not attract the attention of academics and researchers. Instead, framing efforts were performed by a small number of activists and policy-makers, who did not enjoy enough credibility to carry out an effective firearm securitization process.

A second important factor was the commitment of resources by policy entrepreneurs. Brazilian disarmament advocates were organized civil society associations, relatively large NGOs and social movements. They also enjoyed the strong support of the Globo Network, as well as of advertising companies and famous personalities. This allowed them to carry out massive public demonstrations to influence public opinion and pressure policy-makers. Ultimately, such human and material resources even allowed these pressure groups to become collective policy entrepreneurs themselves and play a fundamental role in the agenda-setting process. Again, this was not the case in Uruguay, where disarmament and gun control advocates were mostly made up by a small group of activists and individual policy-makers. They hardly counted with funding and exposure, and were only capable of carrying out a small number of awareness-raising campaigns with the help of public authorities. Without sustained public or political support, they eventually gave up the endeavor and only resumed it many years later, when the conditions in the problem stream changed and they received the support of the Interior Ministry.

A third relevant factor was that Brazilians and Uruguayans had opposing viewpoints regarding firearm control. Lula da Silva's election in 2003 coincided with Brazil's economic recovery and provoked a strong feeling of hope for many Brazilians regarding the capacities of a progressive leftist government to overcome the historic social problems of the country. This optimism was also fueled by the social movements and NGOs that strongly advocated for disarmament and had a close relationship to the *Partido dos Trabalhadores* (PT) party. Their convergence led to a first swing in the national mood in 2003 that resulted in an overwhelming support for disarmament

proposals. For its part, Uruguayans usually have a very statist approach to politics, but they did not share such optimism regarding the capacities of the state to solve insecurity. Criminal violence reinforced what was an already very strong national gun culture, especially in the countryside. This viewpoint dominated public opinion and obstructed any attempt to securitize firearms. Moreover, Uruguayan society was –and still is– going through a period of punitive quiescence that did not favor any proposal that could prevent a legitimate use of firearms for defensive purposes.

At last, the policy communities that conceived the ideas that led to the Disarmament Statute and the RFOL presented substantial differences regarding their levels of fragmentation. Because this element is especially relevant in relation to the second empirical research question, it will be analyzed more closely further on. Suffice it here to say, that the greater homogeneity of the firearm control policy community in Brazil allowed more radical policy alternatives to rise to prominence more easily. This explains how a nationwide ban on the sale of firearms to civilians was seriously considered by policy-makers in one of the most violent countries in the world, with a socially conservative society and a thriving weapons industry. The potential harms, risks and benefits of such an ambitious proposal attracted public and media attention with ease. Conversely, the security policy community in Uruguay was very heterogeneous and presented high levels of fragmentation. In consequence, disarmament advocates had to moderate their proposals to pass the policy community's criteria of survival. Since their legislative approval would only signify incremental policy changes, their entry in the decisional agenda was not a source of concern and went mostly unnoticed to the general public.

Because of these factors, the Brazilian agenda-setting process had a prominent bottom-up dimension, which was largely absent in the Uruguayan process. This conclusion is consistent with the importance that several authors attach to NGOs and social movements in the formation of firearm control policies in the region (Álvarez Velasco, 2016; DerGhougassian, 2011). Our study also suggests that a local and effective securitization process appears to be fundamental for the prominence of the gun problematic in the public and political agendas. This element was also identified by DerGhougassian (2011) as a decisive factor for a foreign policy posture that supports the inclusion of small arms control in the international agenda. For a local securitization process to be successful, our analysis suggests that it must include the development of a local research agenda, as well as high levels of resource commitment by knowledge-brokers and policy entrepreneurs.

All in all, our conclusions over the first empirical research question are partly in accordance with the hypotheses presented in the introduction. At the time, we guessed that the prominence of the issue in the public and political agendas was defined by more factors than our empirical analysis ultimately determined to be relevant. Nonetheless, the remaining elements were certainly

important for the overall entrance of the firearm issue in the agendas, as discussed in *chapter 7.3.1*.

An interesting discrepancy is related to the influence of violence indicators in the process. We hypothesized that high levels of firearm violence were a precondition for gun control to acquire a prominent position in the agenda. However, the analysis showed that societies mostly define their tolerance to insecurity in relation to their own recent past. Therefore, more relevant than high levels of firearm violence is its exacerbation in the context of a deteriorating security crisis. This proved to be a fundamental condition for the agenda-setting process in both case studies. Additionally, Zahariadis (2015) suggested that in the face of uncertainty, strong emotions of fear make agenda-setting and policy change more difficult due to higher political costs. Our results were consistent with this observation, as Uruguayans were more afraid by criminal violence than Brazilians, and also presented a higher aversion to disarmament.

Second Empirical research question:

Firearm control and policy formation: Why were the policy outputs of the Brazilian Disarmament Statute and the Uruguayan RFOL so substantially different?

In both case studies, the entrance of gun control in the decisional agendas eventually gave way to policy changes. Regarding their goals, scope and directional logic, the outcomes were quite different, however. The Disarmament Statute²¹³ sought to disarm society as much as possible, with the intention to curb armed violence. Beyond stricter gun control measures that discouraged their acquisition, possession and use, it included a nationwide ban on the sale of firearms to civilians. Regarding the SINARM-Law²¹⁴ of 1997, the Disarmament Statute not only implied a disruptive policy transformation, but also a sharp change in the directional logic. In comparison, the Uruguayan RFOL²¹⁵ sought to deter the illegitimate use of firearms while respecting their legitimate use by law-abiding citizens. It included severe gun control measures to prevent the further proliferation of firearms, but did not consider disarmament among its objectives. In relation to the loose laws, decrees and memorandums that regulated gun control until its enactment, it can hardly be considered a disruptive policy change. It extended the scope considerably while maintaining the previous goals and directional logic.

As evidenced by our investigation, agenda changes and policy changes are deeply interrelated phenomena. Thus, the four factors that explained the different prominence of gun control in the

²¹³ BRASIL: Law nº 10.826, December 22, 2003.

²¹⁴ BRASIL: Law nº 9.437/1997, February 20, 1997.

²¹⁵ URUGUAY: Law nº 19.247, August 27, 2014.

public and political agendas were also highly influential in the divergent policy outcomes. Ultimately, a disruptive policy change is more likely if it is preceded by a disruptive change in the agenda. However, it is also necessary to consider the influence of the decision-coupling process. In other words, to consider to what extent these policy changes were affected by institutional constraints. The comparative analysis allows to conclude that the different outcomes can be best explained by two major factors: the differing fragmentation of the policy communities and the number of actors with veto power.

As already stated, the policy ideas that mutated and evolved into the Brazilian Disarmament Statute originated in a specific policy community on gun control, created by a variety of researchers and academics that developed an impressive local research agenda on the matter. Its specialization left out civil servants and other security actors that had worked on gun policy alternatives in the past. Thus, the participants of the new policy community had similar backgrounds, knowledge and worldviews, and conformed an extremely integrated network with very low levels of fragmentation. Its inner consensus allowed disruptive policy alternatives to compete in the policy primeval soup and rise to prominence more easily. This was the case of the more severe gun control measures and the disarmament proposals, including the ban on the sale of firearms to civilians.

On the contrary, Uruguayan researchers and academics were not intrigued by the problematic, so that a local research agenda never developed. As a result, disarmament and gun control advocates had to disseminate their ideas in a much broader policy network with high levels of fragmentation. The lesser presence of specialized knowledge in the policy community, combined with the frequent participation of political actors, hindered the development and evolution of progressive policy ideas. Most participants were unfamiliar with the international SAM and saw guns as traditional, ordinary and part of the individual right to self-defense. To pass the community's criteria of survival, policy proponents had to moderate their ideas, changing their policy goal from civilian disarmament to a more comprehensive gun control policy.

Furthermore, it is the institutional setting of each political system that defines veto actors and which majorities suffice to adopt a policy. In this sense, the first PT government in Brazil and the *Frente Amplio* (FA) governments in Uruguay were close to policy entrepreneurs and eventually supported their initiatives. However, the strong factionalism of the Uruguayan party system also proved an obstacle for disarmament proposals. The FA is an extreme case in that matter, since the leftwing coalition is an aggregate of autonomous parties that vary greatly in their ideological outlook. Regarding the gun problematic, opposing political views coexisted inside the governing party and in the Executive Branch. Some defended a statist approach to public security, while others had a historical relation to firearms and defended gun rights. The opposing views precluded

radical alternatives, as well as any consensus regarding the gun problematic up until the second FA government (2010-2015).

Finally, the use –and the mere possibility of using– mechanisms of direct democracy was also fundamental for the policy outcomes. Let us remember that the most controversial element of the Brazilian Disarmament Statute, the ban on the sale of firearms to civilians, was decided on a national referendum. The transfer of decision-making power to the electorate ended up being a political shot in the foot for policy entrepreneurs, as voters decided not to authorize the controversial measure. The Disarmament Statute remained in place, but gun sales to civilians continued being permitted. Despite the annulment, the final policy change was disruptive and non-incremental, but its original scope was considerably reduced.

Conversely, the RFOL's policy process was not directly influenced by mechanisms of direct democracy, but their use is nevertheless a central element of Uruguay's policymaking processes. Referendums are namely a common feature of the Uruguayan political system, mostly to repeal laws passed by Congress and to reform the Constitution itself. As in the Brazilian case, their use can extend the decision-making procedure and the decision-coupling process. In the policy and political streams, the mere possibility of calling a referendum already produces constraints on the consideration of unpopular ideas. Hence, while a referendum directly reduced the scope of the policy change in Brazil, the threat of a policy reversal makes changing the *status quo* in Uruguay more expensive in political terms. The result is similar, taming policy proposals that are not clearly supported by the electorate.

This time, the corresponding hypotheses can be accepted without questioning. As expected, disruptive policy changes are more likely to occur after a disruptive agenda change –that is, if gun control holds a prominent position in the agenda– and if the number of actors with veto power is low. Minority or coalition governments, high party factionalism, and mechanisms of direct democracy, are all institutional constraints that can render such a change more difficult.

Once the empirical research questions have been answered, we can turn our attention to the theoretical objectives of our investigation. These were focused on deepening our knowledge on the applicability of the extended MSF in Latin American and developing countries. This objective arose from two separate concerns. On the one hand, by how the MSF and its modifications were developed with Western democracies in mind and their explanatory capacity might not be the same in every environment. On the other hand, by how the study of policy formation in Latin America is recent and limited, and so is the use of the MSF. In consequence, we set ourselves to conduct an empirical verification of its extended version in the region with the aim of contributing to its improvement. These objectives were captured by two theoretical research questions.

First theoretical research question:

Are the MSF and its recent modifications capable and suited to explain agenda-setting and policy formation in the Latin American context?

Our investigation has provided the first comprehensive explanations for the agenda and policy changes that led to the formation of the Brazilian Disarmament Statute in 2003 and the Uruguayan RFOL in 2014. The variables of each stream and the premises of the framework sufficed to explain the outcome: Streams were ripe, policy windows opened and policy entrepreneurs were present to couple the streams (Zohlnhöfer and Rüb, 2016b: 6). Therefore, we can confidently say that the extended MSF was largely able to successfully decode the agenda and policy changes in question, thus confirming our working hypotheses.

Additionally, it is fair to say that the original MSF (Kingdon, 1995) would have been able to supply satisfactory accounts of the agenda-setting processes, although leaving various important questions unanswered. As discussed in depth in *chapter 7.3.2*, the applied modifications (Herweg et al., 2015; Knaggård, 2015, 2016; Zahariadis, 2003; Zohlnhöfer et al., 2016) not only allowed the analysis of the decision-making processes, but also provided a much more comprehensive understanding of the policy trajectories.

The additional variable ‘problem load’ (Zahariadis, 2003: 154) allowed to acknowledge the effects of the economic crises in both countries, as well as the influence of the corruption scandal that shook Brazil in 2005. In countries with precarious economies, adverse economic junctures can have a powerful influence on agenda-setting. Even extreme rates of violence are no match for unemployment and poverty, which can easily push security issues into the background. These crises were not essential for the policies that were eventually approved, but they offered an explanation for the failures of the previous attempts in both countries. Likewise, the ‘*mensalão* scandal’ of 2005 was crucial for the decisive decision-making process in Brazil, since it was one of the defining reasons behind the defeat of disarmament advocates in the referendum.

Also, the inclusion of knowledge-brokers was key to understand the agenda-setting processes. Knaggård’s (2015, 2016) modification provides the problem stream with some very needed agency and allows to analyze how each country institutionalizes the communication between such actors and policy makers. Thus, Brazilian academics and activists appear to be relevant in framing conditions as public problems, at least in policy areas in which the government is often effectively absent. Their involvement, next to the legitimacy crisis of political actors, provides them with enough credibility to participate in the process and give meaning to the other variables in the problem stream. Conversely, Uruguayan universities and research institutes usually concentrate on pure science, advancing their scientific fields but leaving the study of particular policy

problems to activists, practitioners and political actors. Policymakers usually do not demand specialized knowledge either, thus creating a link between social research and policymaking that is narrow and unstable.

Arenas in which knowledge-brokers and policy makers can meet are necessary for good governance and for the development of policies based on empirical data. The Uruguayan case suggests that the lack of involvement by researchers and academics hinders the development and evolution of progressive policy ideas. The Brazilian case, on its part, showed how knowledge-brokers that focus on applied science and enjoy high levels of credibility, are more likely to transcend the problem stream, get involved in policy alternatives and even pursue a career in politics (Knaggård, 2016: 115). This is a very interesting phenomenon, but it makes the empirical distinction between knowledge-brokers and policy entrepreneurs more difficult. Hence, Knaggård's knowledge-brokers are especially suited for actors that decide to stay in the problem stream, as their presence across streams blurs the concept and complicates their analysis.

Finally, the separation of the coupling process in two stages (agenda- and decision-coupling) (Herweg et al., 2015; Zohlnhöfer et al., 2016) provided the opportunity to study policy decision-making in its entire complexity, as it allows a more rigorous consideration of formal institutions. As expected, actors with veto power and the majorities that suffice to adopt a policy were very important in both case studies. They explained the failures of the first attempts to achieve policy changes, as well as the differences between the original proposals and approved policies. Thus, in the first attempts to couple the streams for a policy decision, the fragmentation of the Brazilian party system and the strong factionalism of Uruguayan political parties prevented policy entrepreneurs from building a majority around their proposals. Moreover, the Brazilian Disarmament Statute included a ban on the sale of firearms to civilians, which was vetoed two years later in a referendum. Without the independent analysis of the decision-coupling process, it would not have been possible to explain why the final policy change was so different from the one conceived in the original bill. Mechanisms of direct democracy play a role that goes beyond the decision-making process, as the mere possibility of using such a device already imposes constraints on policy alternatives and makes changing the *status quo* more expensive in political terms.

In this regard, we discussed if the extended MSF could actually explain policy outcomes that result from the use of mechanisms of direct democracy, as the authors of the decision-coupling process never refer to such a possibility (Herweg et al., 2015; Zohlnhöfer et al., 2016). The question is if the decision-coupling process can acknowledge instances in which the electorate ratifies, rejects or modifies previous decisions by policy makers. We believe it is able to do so, as long as the direct democracy mechanism is projected as an extension of the decision-making procedure. In other words, in cases in which political policy-makers agree on extending the

decision-making process and on transferring their veto and decision-making powers to the electorate. The Disarmament Statute was such a case, because the realization of the referendum was provided in its legislation. This is rather uncommon, however. Direct democracy mechanisms are more frequently invoked by policy opponents, sometimes to decide over policy decisions that were taken years or decades before, without the intention of being revised. In such cases, we would rather be facing whole new agenda- and decision-coupling processes altogether.

In any case, the acknowledgement and analysis of all these variables and dynamics would not have been possible without the applied modifications (Herweg et al., 2015; Knaggård, 2015, 2016; Zahariadis, 2003; Zohlnhöfer et al., 2016). Even if agenda-setting and decision-making would be collapsed into a single coupling process (Zahariadis, 1995, 2003), the MSF would have been thoroughly blind to these events. As a result, the explanations and accounts of the policy processes would have been incomplete and some of the most interesting episodes of the policy trajectories would have been left out. In the light of this, we can only acknowledge the great progress that these modifications imply and decidedly recommend their further use and improvement.

Second theoretical research question:

What adjustments could be made to the methodology of the MSF to improve its applicability to the Latin American context?

Despite the promising results described above, we found a couple of weaknesses in the applicability of the theoretical framework to the Latin American reality. The first relates to an inconsistency within the postulates of the MSF and the Brazilian case study, regarding the distinct influence of actors in the agenda-setting process. According to Kingdon (1995: 199-200), there are hidden and visible participants in this process. The visible actors largely influence agenda-setting and include policy-makers, the media and such elections-related actors as political campaigners. However, our analysis evidenced that Brazilian academics, researchers and activists –mostly organized in NGOs, think tanks and social movements- performed as notorious policy entrepreneurs. What is more, they were tremendously influential in the process and provided agenda-setting with a notorious bottom-up dimension. Proof of this is that most Brazilian interviewees recognized them as key actors in the process.

Admittedly, this could be a specific characteristic of the Brazilian case study, but we believe that it is an example of how the MSF frequently ignores collective action, a deficiency that was already identified by Schlager (2007: 302-303). The Uruguayan case did not support this argument and even underscored the ‘hidden’ participation of these actors, as the direct influence of pressure

groups was almost symbolic in the agenda-setting process. However, Uruguay is likely a regional exception in this regard, due to the legitimacy and disproportionate influence that political parties enjoy in the country's politics. Instead, the important influence of social movements and NGOs in the Brazilian case is consistent with accounts of the dynamics of the SAM at the global stage and even in other parts of the region, such as Argentina and various Central America countries (Álvarez Velasco, 2016: 152; Ballestrin, 2010; DerGhougassian, 2011).

In this sense, the notorious participation of organized civil society in agenda-setting could be a particular feature of developing countries, especially in the context of weak states and illegitimate political actors. Frequent governance voids and distrust in public authorities could namely favor the participation of NGOs in policy areas that are usually in the hands of the state, such as poverty reduction, housing, health and even security. Perhaps such an influence in the agenda-setting process was not considered by the MSF, because the golden age of NGOs came shortly after its initial development, and their enhanced influence in these policy areas is only felt in developing countries.

Unfortunately, an inconsistency in one of our case studies is not enough to validate an assumption of this magnitude. As it is, we cannot conclusively accept our initial hypothesis regarding the unsatisfactory application of the MSF to political systems in Latin America. At most, the increased relevance of civil society organizations in the agenda-setting processes of developing countries could be a working hypothesis for future research. Hence, researchers applying the MSF to Latin American and developing countries should watch out for a stronger influence of collective non-state actors in the agenda-setting process, and be careful with Kingdon's distinction between hidden and visible participants.

At last, we believe that our case studies show that the MSF is good at explaining policy change, but not so much at accounting for the scope of these variations. The conclusions presented in relation to the *second empirical research question* are accurate and plausible, but are not as comprehensive as they could be. This is not surprising, since the primary focus of the MSF is the agenda-setting process, whereas only subsequent extensions have extended its applicability to the decision-making stage (Zahariadis, 2003; Herweg et al., 2015; Zohlnhöfer et al., 2016). Nonetheless, its shortcomings appear to be related to a disregard over how its core elements relate to each other and produce different outcomes due to these relations. The MSF emphasizes the role of policy entrepreneurs in coupling the streams, but does not explicitly consider how variables from different streams might influence each other directly.

In this regard, we discussed how a promising path could be related to the incidence of positive feedback processes (*see 7.3.2.2*), as used by Baumgartner and Jones (2009) in the Punctuated Equilibrium Theory. For that matter, positive feedback processes give rise to disruptive policy

changes. This happens, because they appear to generate a snowball effect that rallies other actors to the cause. The MSF shares common ground with chaos theory and is sensitive to initial conditions, so that it implicitly acknowledges feedback processes to a certain extent. Nonetheless, a more explicit approach could cut across its core elements and supply a communication channel between different variables. It could help explain various dynamics that we observed in our case studies, such as how the Brazilian national mood was heavily affected by a corruption scandal that irrupted in the problem stream, or how a new receptive government could motivate knowledge-brokers to double their efforts.

At the same time, we are under no illusions over the difficulties that more explicit feedback processes would entail for the MSF, even for the basic functioning of its internal mechanisms. Above all, it could mean giving up the independence of each stream and all this entails. In any case, such an engineering work goes beyond the objectives of this study, but could be tried out in a future endeavor.

8.2 Limitations and further lines of research

We are confident in the results of our investigation. We were able to supply the first comprehensive explanations for the policy processes that led to the Disarmament Statute and the RFOL. Moreover, we believe that our results are prone to contingent generalizations (*see 7.3*). Thus, they are likely to inform similar situations in similar contexts. This could be the case of other gun policy processes in Latin America or our general understanding of policy processes in the region.

Nonetheless, the limited number of cases under study make the representativeness of our investigation more limited than we would hope for. Taking the regional heterogeneity into consideration, Brazil and Uruguay present a very high variance on the dimensions of theoretical interest. This includes the status of the firearm control issue in the agendas, the nature and scope of the policy changes experienced, the levels of firearm violence, and the presence of knowledge-brokers and interest groups with influence on the policy-making process. Moreover, their variation regarding their dimension, level of development, complexity and power implied an additional challenge for the empirical verification of the MSF and its theoretical extensions.

Undoubtedly, a third or fourth case study would have given us greater insights over the agenda-setting and formation processes of gun policies in the region, as well as an opportunity to evaluate our claims over the possibility to generalize our results. In this sense, further case studies should seek to fill the voids left by our case selection. For instance, by choosing cases with high levels of armed violence in which the presence of the gun problematic in the agenda was only residual. Also interesting would be cases in which the gun problematic occupies a prominent position in

the agenda, despite the low presence and credibility of knowledge-brokers and pressure groups supporting gun control.

More case studies would also have allowed to evaluate our claim over the importance of civil society in the agenda-setting processes of developing countries. The question is if the capacity of civil society organizations to influence agenda-setting is enhanced in the context of weak states and illegitimate political actors. The Brazilian case supports this argument, as do accounts from other countries in the region. The incorporation of more case studies and more policy areas could contribute to a more reliable answer.

Conclusiones

El capítulo final de nuestro estudio resume los resultados generales del análisis, discute sus limitaciones y propone futuras líneas de investigación.

Conclusiones generales

La presente investigación perseguía objetivos tanto de corte teórico como empírico. Discutiremos en primer lugar los empíricos, que buscaban explicar la incorporación de la problemática de las armas de fuego en Brasil y en Uruguay a la agenda, así como las decisiones públicas que resultaron en la aprobación del Estatuto del Desarme de 2003 en Brasil y de la RFOL de 2014 en Uruguay. Hemos aplicado para ello en ambos casos de estudio una versión revisada del MSF de John Kingdon (1995), lo que nos permitió dar una explicación integral de los cambios de agenda y de políticas públicas en ambos casos. En esta sección se presentará un resumen de cada caso de estudio para pasar a continuación a analizar los resultados del trabajo en relación con las preguntas de investigación planteadas en el capítulo introductorio.

El proceso de políticas públicas que culminó en el Estatuto del Desarme (2003) se origina en el movimiento internacional de armas pequeñas (SAM, por sus siglas en inglés), así como en el incremento ininterrumpido de las tasas de homicidio a partir de la década de 1980. En los años noventa un número importante de académicos y activistas brasileños se adhirieron a un proceso internacional de securitización de las armas de fuego que asocia dichas armas con altos niveles de violencia armada. Alrededor del año 1999 comenzó el proceso de conformación de la agenda, con propuestas que iban desde la implementación de medidas más estrictas de control de armas, a la prohibición total de la venta de armas a civiles en todo el territorio. Con el apoyo del Grupo Globo, empresas de publicidad y personalidades famosas, varias ONG y movimientos sociales comenzaron a promover públicamente políticas de desarme. En tanto actuaban como promotores colectivos de políticas públicas, capitalizaron las ventanas de oportunidad a su alcance y conectaron sus ideas políticas a la epidemia de homicidios. El primer momento en que se produjo un “acoplamiento” de la agenda (en terminología del marco de las corrientes múltiples de Kingdon: *agenda-coupling process*) ocurrió en 1999, cuando decenas de proyectos de ley relacionados al control de armas fueron presentados en el Congreso Nacional.

La irrupción de la crisis económica ese año, así como la incertidumbre sobre el alcance del apoyo popular a un mayor control de armas, impidieron que los promotores de estas iniciativas pudieran construir una mayoría política. Los proyectos de reforma legislativa fueron finalmente desestimados, por lo que el cambio radical en la agenda no se tradujo en un cambio de políticas públicas. A pesar de ello, las corrientes de los problemas y de las soluciones se mantuvieron juntas, en parte debido a la presión ejercida por los promotores dentro y fuera del sistema político.

En 2003 el asunto regresó nuevamente en la agenda decisional. Esta vez, los promotores pudieron aprovechar la ventana de oportunidad abierta por el cambio en el gobierno federal para construir una mayoría política suficiente en torno a sus propuestas, y lograr un cambio radical en materia de políticas de control de armas. Había ocurrido un “acoplamiento” decisional (en terminología del marco de las corrientes múltiples de Kingdon: *decision-coupling process*) exitoso. No obstante, el proceso de políticas públicas finalizó en 2005 con la realización de un referéndum popular a través del cual el electorado desautorizó un artículo del Estatuto que prohibía la venta de armas a civiles.

El debate político en Brasil y la aprobación del Estatuto del Desarme –así como otros éxitos del SAM a principios de siglo- motivaron a uruguayos partidarios de un mayor control de armas a asociar públicamente la proliferación de éstas con los fenómenos de violencia doméstica y el incremento de las tasas de suicidio. Sin embargo, la fuerte cultura armamentista del país y sus relativamente bajos niveles de homicidio, impidieron que las propuestas de desarme ganaran notoriedad entre los miembros de la comunidad de políticas de seguridad. Las ideas más moderadas fueron finalmente recogidas por promotores políticos del Frente Amplio, quienes en 2004 intentaron juntar las distintas corrientes por primera vez. Presentaron entonces un proyecto de ley y consiguieron el acoplamiento de la agenda. Los promotores disfrutaban de una mayoría absoluta en ambas cámaras del Parlamento, pero la falta de agentes del conocimiento (*knowledge-brokers*), la fuerte cultura armamentista, la crisis económica, los bajos niveles de homicidio, los pocos recursos invertidos y la falta de ventanas de oportunidad, terminaron impidiendo la formación de una mayoría política y un acoplamiento decisional exitoso.

Esta situación cambiaría en 2011, cuando el aumento de los índices de homicidio convenció a más actores en la comunidad de políticas de seguridad, de la conveniencia de abordar la proliferación de armas, así como de las deficiencias de la política en marcha. El incremento de los homicidios abrió una ventana de oportunidad que los promotores políticos supieron aprovechar. El Ministerio del Interior arropó sus propuestas más moderadas e introdujo un nuevo proyecto de ley en 2012, logrando así un nuevo acoplamiento de la agenda. Fue imprescindible la presión ejercida desde la Presidencia sobre su mayoría parlamentaria para que se alcanzara un acoplamiento decisional exitoso, la aprobación de la iniciativa, y lo que sería un cambio incremental en las políticas de control de armas.

Hemos contrastado los procesos que culminaron en el Estatuto del Desarme en Brasil y de la RFOL en Uruguay valiéndonos del método comparado. Los objetivos empíricos se lograron en base a dos preguntas de investigación correspondientes, las que se analizan a continuación.

Primera pregunta de investigación empírica:

Control de armas de fuego y construcción de la agenda: ¿Por qué el control de armas de fuego cobró notoriedad en Brasil, pero pasó mayormente desapercibido en Uruguay?

Ambos casos de estudio ejemplifican intentos exitosos, por parte de promotores de políticas públicas, de reunir las corrientes e introducir el control de armas de fuego en la agenda decisional. Sin embargo, cada proceso se dio de manera distinta y obtuvo resultados diferentes. La conjunción de las corrientes provocó un radical cambio de agenda en Brasil y desató un intenso debate público en la segunda mitad de la década de 1990 y principios del 2000. Por el contrario, la puesta en la agenda en Uruguay siguió la pauta general de la región, provocando una alteración incremental de la agenda que pasó mayormente desapercibida para la opinión pública. El análisis comparado permite concluir que las diferencias entre estos resultados se deben a la diferente combinación de cuatro factores principales: la distinta participación y credibilidad de los agentes del conocimiento, los diferentes recursos y capacidades de los promotores ajenos al sistema político, las posturas dominantes opuestas en la opinión pública de cada país frente al control de armas, y la divergente fragmentación de las comunidades de políticas públicas.

El primer elemento decisivo fue la distinta participación y credibilidad de los agentes del conocimiento en las corrientes de los problemas. Académicos, investigadores y activistas brasileños se comprometieron con la problemática e intervinieron como exitosos agentes securitizadores, definiendo la proliferación de armas como un problema público y así dándole sentido a las otras variables de la corriente. Su investigación en un área de conocimiento carente hasta entonces de mayores certezas, les permitió ganar el respeto por igual de expertos y decisores políticos (*policy-makers*). A su vez, tal credibilidad les permitió trascender la corriente de los problemas e incidir también en otras instancias del proceso. Ello no fue el caso en Uruguay, donde las universidades y los institutos de investigación tienden a priorizar la profundización de sus campos científicos antes que involucrarse en problemas públicos concretos. Ello destaca particularmente en el ámbito de la seguridad pública. La problemática de las armas de fuego no concitó mayormente su interés, por lo que la definición del tema como problema público fue resultado de la labor de un pequeño número de activistas y decisores políticos, carentes de la credibilidad suficiente para llevar a cabo un proceso de securitización eficaz.

Un segundo factor de relevancia fue la diferencia en la inversión de recursos por parte de los promotores ajenos al sistema político. Los partidarios del desarme en Brasil se organizaron en asociaciones de la sociedad civil, ONG y movimientos sociales relativamente grandes. Contaron además con un fuerte apoyo del conglomerado mediático Grupo Globo, así como de empresas de publicidad y personalidades famosas. Ello les permitió realizar manifestaciones y campañas

publicitarias que influyeron sobre el electorado y ejercieron gran presión sobre los decisores públicos. Dichos recursos materiales y humanos contribuyeron incluso a que estos grupos de presión se convirtiesen en promotores de políticas públicas colectivos y tuviesen un rol fundamental en la conformación de la agenda. De nuevo, ello no fue el caso en Uruguay, donde los partidarios del desarme y de un mayor control de armas no pasaron de ser un reducido grupo de activistas y decisores públicos, carentes de fondos de financiamiento y exposición pública, por lo que sólo alcanzaron a realizar algunas discontinuas campañas de sensibilización con ayuda del Gobierno. Carentes de un apoyo público sostenido y sin apoyo privado, no pudieron mantener el impulso inicial y sólo retomaron los esfuerzos años más tarde, cuando las condiciones en la corriente de los problemas cambiaron y el Ministerio del Interior se interesó por su causa.

Un tercer factor de relevancia fueron las distintas posturas manifiestas en la opinión pública de cada país en relación con el control de armas. La elección de Lula a la presidencia en 2003 coincidió con la recuperación económica de Brasil y propició un sentimiento de esperanza en gran parte de la población brasileña sobre la capacidad de un gobierno progresista de izquierda para superar los históricos problemas sociales del país. Ese optimismo fue favorecido a su vez por los movimientos sociales y las NGO que promovían el desarme y tenían una relación cercana al *Partido dos Trabalhadores* (PT). La confluencia llevó a un primer cambio de la opinión pública en 2003, resultando en un apoyo abrumador a las propuestas de desarme. Por su parte, si bien los uruguayos suelen tener una aproximación estatista a la política, no manifestaron un optimismo semejante respecto a las capacidades del Estado para resolver la inseguridad. La violencia criminal reforzó la fuerte cultura armamentista existente, particularmente en las zonas rurales. Esta visión predominó en la opinión pública y obstaculizó cualquier proceso de securitización de armas de fuego. Asimismo, la sociedad uruguaya manifiesta hasta hoy un apoyo general a prácticas punitivas, lo que no favorece propuestas legislativas que prevengan el uso legítimo de armas de fuego por razones de defensa personal.

Por último, las comunidades de políticas públicas que concibieron las ideas que precedieron al Estatuto del Desarme y a la RFOL presentaban diferencias sustanciales en cuanto a sus niveles de fragmentación. Este elemento es aún más relevante para la segunda pregunta de investigación, por lo que será analizado en detalle más adelante. Por ahora, basta con señalar que la mayor homogeneidad de la comunidad de políticas de control de armas en Brasil permitió la consagración de alternativas más radicales. Ello explica cómo una prohibición integral a la venta de armas a civiles logró ser asumida por los decisores públicos en uno de los países más violentos del mundo, con una sociedad tradicionalmente conservadora en lo social y una pujante industria armamentista. Los potenciales daños, riesgos y beneficios de una propuesta tan ambiciosa concitaron fácilmente la atención pública y mediática. Por el contrario, la comunidad de políticas de seguridad en Uruguay era altamente heterogénea y presentaba altos niveles de fragmentación.

En consecuencia, los partidarios del desarme tuvieron que moderar sus soluciones para superar los criterios de supervivencia de la comunidad. Dado que su implementación sólo supondría cambios incrementales en la política de control de armas, su ingreso en la agenda decisional no fue un motivo mayor de preocupación y pasó mayormente desapercibida para la opinión pública.

Debido a estos factores, el proceso de construcción de la agenda en Brasil tuvo una considerable dimensión *bottom-up*, la cual estuvo mayormente ausente en el proceso uruguayo. Esta conclusión es consistente con la importancia que varios autores conceden a las ONG y a los movimientos sociales en la formación de políticas de control de armas de la región (Álvarez Velasco, 2016; DerGhougassian, 2011). Nuestra investigación también sugiere que un proceso de securitización local y eficaz parece ser fundamental para que la problemática de las armas de fuego adquiriera relevancia en las agendas públicas y políticas. Este elemento también fue identificado por DerGhougassian (2011) como un factor decisivo para una postura de política exterior favorable a la inclusión del control de armas en la agenda internacional. Para que un proceso de securitización local sea eficaz, nuestro análisis sugiere que debe incluir el desarrollo de una agenda de investigación local, así como la inversión de altos niveles de recursos por parte de agentes del conocimiento y promotores de políticas públicas.

En definitiva, nuestras conclusiones relativas a la primera pregunta de investigación empírica coinciden parcialmente con las hipótesis planteadas en la aproximación metodológica. En su momento, asumimos que la importancia destacada del asunto en las agenda pública y política estaba determinada por un número mayor de factores del que nuestro análisis empírico arrojó como efectivamente relevantes. Sin embargo, los factores restantes fueron ciertamente importantes en general para la inclusión del control de armas en las agendas, como se discute en el capítulo 7.3.1.

Una discrepancia interesante se vincula a la influencia de los indicadores de violencia en el proceso. Asumíamos que los altos niveles de violencia eran una condición necesaria para que el control de armas adquiriera una posición relevante en la agenda. No obstante, el análisis demostró que las sociedades suelen definir su tolerancia a la inseguridad en relación con su propio pasado reciente. En consecuencia, más relevante que los altos niveles de violencia armada, es la exacerbación de la misma en el contexto de una crisis de seguridad en deterioro. Este elemento probó ser una condición fundamental para el proceso de conformación de la agenda en ambos casos de estudio. Asimismo, la mayor aversión al desarme por parte de los uruguayos es consistente con las observaciones de Zahariadis (2015), quien sugiere que, debido al mayor coste político, los cambios en la agenda y en las políticas públicas son menos probables en contextos de incertidumbre y de fuertes sentimientos de miedo. En este sentido, a pesar de tener índices de violencia y criminalidad considerablemente menores, los uruguayos presentan un mayor temor que los brasileños frente a la crisis de seguridad.

Segunda pregunta de investigación empírica

Control de armas y formación de políticas públicas: ¿Por qué fueron tan diferentes los resultados del Estatuto del Desarme en Brasil y de la RFOL en Uruguay?

En ambos casos de estudio, la inclusión del control de armas en la agenda decisonal generó también cambios de políticas públicas. En cuanto a sus objetivos, alcance y lógica direccional, los resultados fueron, sin embargo, disímiles. El Estatuto del Desarme buscaba desarmar a la sociedad tanto como fuese posible, a fin de contener la violencia armada. Más allá de medidas más estrictas en materia de control de armas, que buscaban disuadir de su adquisición, posesión y uso, la normativa incluía también la prohibición de la venta de armas a civiles. Con relación a la Ley SINARM de 1997, el Estatuto del Desarme no sólo supuso una transformación drástica, sino también un cambio brusco en los objetivos y en la lógica direccional. Por su parte, la RFOL en Uruguay buscaba disuadir de un uso ilegítimo de las armas de fuego, pero respetaba el uso legítimo de las mismas por ciudadanos respetuosos de la Ley. Incluía medidas severas para prevenir una mayor proliferación de armas, pero no consideraba el desarme entre sus objetivos. En comparación con las leyes, decretos y memorándums que habían regulado el control de armas hasta su promulgación, la ROFL difícilmente pueda considerarse un cambio radical. Extendió considerablemente el alcance y la severidad de las medidas de control, pero mantuvo los objetivos y la misma lógica direccional.

Como evidenció nuestra investigación, los cambios en la agenda y los cambios en las políticas públicas son fenómenos intrínsecamente relacionados. Por ello los cuatro factores que explicaron la diferente prominencia del control de armas en las agendas públicas y políticas en ambos países, también fueron altamente influyentes en los distintos procesos de formación de las políticas. Básicamente, un cambio disruptivo de políticas públicas es más probable si viene precedido de un cambio disruptivo en la agenda. No obstante, también es necesario considerar la influencia del proceso de acoplamiento decisonal, esto es, considerar hasta qué punto estos cambios de las políticas resultaron afectados por limitaciones institucionales. El análisis comparado permite concluir que los distintos resultados pueden explicarse principalmente por dos factores: la distinta fragmentación de las comunidades de políticas públicas y el diverso número de actores con poder de veto.

Como ya se dijo, las ideas de políticas públicas que mutaron y evolucionaron hasta convertirse en el Estatuto del Desarme se originaron en una comunidad de políticas especializada en el control de armas de fuego, compuesta por una variedad de investigadores y académicos que desarrollaron una impresionante agenda de investigación local sobre el tema. Su especialización excluyó a funcionarios públicos y a otros actores relacionados a la seguridad pública que hasta entonces

habían colaborado en la creación de políticas de armas. De esta forma, los participantes de la nueva comunidad compartían antecedentes, conocimientos y visiones del mundo similares, conformando una red extremadamente integrada con niveles muy bajos de fragmentación. Su consenso interno facilitó que algunas alternativas radicales pudiesen competir en la ‘sopa primitiva’ (*policy primeval soup*) y adquiriesen notoriedad más fácilmente. Este fue el caso de las medidas más severas de control de armas, así como de las propuestas de desarme, incluyendo la prohibición de la venta de armas a civiles.

Por el contrario, los investigadores y académicos uruguayos no se interesaron mayormente en el tema, por lo que nunca se desarrolló una agenda de investigación local. Fueron en consecuencia activistas y decisores públicos quienes diseminaron las propuestas en una red de políticas generales de seguridad, más heterogénea y con altos niveles de fragmentación. La menor presencia de conocimiento especializado en esta comunidad, junto a la frecuente participación de actores políticos, evitó el desarrollo y la evolución de ideas progresistas. La mayoría de los participantes no estaban familiarizados con el SAM y veían las armas de fuego como tradicionales y cotidianas, propias del derecho individual de los ciudadanos a la defensa personal. Para sobreponerse a los criterios de supervivencia de la comunidad, los impulsores de las alternativas se vieron obligados a moderar sus ideas y cambiar su objetivo de desarmar a la población, por una política de control de armas más completa.

Asimismo, el marco institucional de cada sistema político define a los actores de veto y qué mayorías son necesarias para adoptar políticas. En este sentido, el primer gobierno del PT en Brasil y los gobiernos del Frente Amplio (FA) en Uruguay, eran cercanos a los promotores de las alternativas estudiadas y eventualmente apoyaron sus iniciativas. Sin embargo, el fuerte faccionalismo del sistema de partidos uruguayo, también fue un obstáculo para las propuestas de desarme. El FA es un caso extremo en este sentido, ya que la coalición de izquierda es en realidad un agregado de partidos autónomos cuyas perspectivas ideológicas varían sustancialmente. En cuanto a la problemática de las armas de fuego, había visiones opuestas coexistiendo dentro del partido de gobierno e incluso dentro del Poder Ejecutivo. Mientras algunos defendían un enfoque estatista para la seguridad pública, otros guardaban una relación histórica con las armas de fuego y defendían el derecho a poseerlas y darles un uso legítimo. Las visiones opuestas impidieron que prosperaran alternativas radicales e incluso que hubiese cualquier tipo de consenso sobre el tema hasta el segundo período de gobierno del FA (2010-2015).

Finalmente, el uso –y la mera posibilidad de usar– mecanismos de democracia directa también fue fundamental en los resultados de los procesos. Recordemos que el elemento más controversial del Estatuto del Desarme en Brasil –la prohibición de la venta de armas a civiles– fue decidida en un referéndum nacional. La transferencia del poder de toma de decisión al electorado terminó siendo un grave error político para los promotores del desarme, ya que los votantes decidieron no

autorizar la controvertida medida. El Estatuto del Desarme se mantuvo en pie, pero la venta de armas a civiles siguió siendo permitida. Pese a lo cual, si bien su alcance se redujo considerablemente, el resultado final del cambio de la política fue disruptivo y no incremental.

Por su parte, el proceso de políticas públicas de la RFOL no fue directamente influenciado por mecanismos de democracia directa, aunque el recurso es frecuente en los procesos de políticas públicas en Uruguay. Los referéndums constituyen una característica del sistema político uruguayo y se los ha realizado sobre todo para derogar leyes aprobadas por el Parlamento Nacional, así como para reformar la Constitución. Como en el caso brasileño, su influencia trasciende la toma de decisiones y el proceso de acoplamiento decisional. En las corrientes de las soluciones y de la política, la mera posibilidad de llamar a referéndums produce limitaciones en la consideración de ideas impopulares. Por ello, mientras en Brasil un referéndum directamente redujo el alcance del cambio de la política, en Uruguay la amenaza constante del retroceso forzado de una política, determina con frecuencia mayores costos políticos para un cambio del *status quo*. El resultado es similar, pues en ambos casos se inhiben aquellas alternativas que carecerían de un claro apoyo ciudadano.

Esta vez, las hipótesis correspondientes a la segunda pregunta de investigación empírica pueden ser aceptadas sin cuestionamientos. Como era esperable, los cambios bruscos en las políticas públicas son más probables si ocurren después de un cambio brusco en la agenda -es decir, si el control de armas ocupa un lugar relevante en la agenda- y si el número de actores con poder de veto es bajo. Gobiernos en minoría o de coalición, alto faccionalismo partidario y mecanismos de democracia directa, son todas limitaciones institucionales que pueden dificultar un cambio de estas características.

Una vez que las preguntas de investigación empíricas han sido contestadas, podemos tornar nuestra atención a los objetivos teóricos de nuestro trabajo. Estos buscaban profundizar nuestros conocimientos sobre la aplicabilidad del MSF en países latinoamericanos y países en desarrollo. Este objetivo fue la consecuencia de dos preocupaciones independientes. Por un lado, la consideración de que el MSF y sus modificaciones, diseñados teniendo en cuenta las democracias occidentales, pueden presentar en otros contextos una capacidad explicativa menos satisfactoria. Por el otro lado, el estudio de las políticas públicas es reciente y limitado en América Latina, como también lo es el uso del MSF. En consecuencia, nos propusimos llevar a cabo una verificación empírica de una versión extendida del marco teórico en la región y así contribuir a su desarrollo. Estos objetivos se lograron en base a dos preguntas de investigación teóricas.

Primera pregunta de investigación teórica:

¿Son el MSF y sus recientes modificaciones, apropiados para explicar la conformación de la agenda y la formación de políticas públicas en el contexto latinoamericano?

Nuestra investigación ha provisto las primeras explicaciones integrales de los cambios de agenda y de políticas públicas que culminaron en el Estatuto del Desarme de 2003 en Brasil y de la RFOL de 2014 en Uruguay. Las variables de cada corriente y las premisas generales del MSF fueron suficientes para explicar los resultados: las corrientes estaban maduras, se abrieron las ventanas de oportunidad y los promotores de políticas públicas estuvieron presentes para reunir las corrientes (Zohlnhöfer and Rüb, 2016b: 6). Por consiguiente, podemos afirmar que el MSF modificado fue en gran medida capaz de decodificar satisfactoriamente los cambios de agenda y políticas públicas estudiados, confirmando así nuestras hipótesis de trabajo.

Además, la selección de Brasil y Uruguay como casos de estudio supuso un valor añadido a la verificación empírica, ya que se trata de países que difieren significativamente en cuanto a sus dimensiones, nivel de desarrollo, complejidad y poder. El análisis comparado de estos contrastes aportaría información importante sobre las condiciones bajo las cuales el MSF y sus modificaciones funcionan mejor. En tal sentido, es justo decir que el MSF original podría haber sido capaz de aportar una explicación razonable de los procesos de conformación de la agenda, aunque probablemente hubiese dejado irresueltas otras cuestiones también importantes. Como se discutió en profundidad en el capítulo 7.2.2, las modificaciones aplicadas (Herweg et al., 2015; Knaggård, 2015, 2016; Zahariadis, 2003; Zohlnhöfer et al., 2016) no sólo permitieron el análisis de los procesos de toma de decisión, sino contribuyeron además a una mejor comprensión de las trayectorias de las políticas.

La variable adicional ‘cantidad de problemas’ (*problem load*) (Zahariadis, 2003: 154) permitió reconocer los efectos de las crisis económicas sobre la conformación de la agenda, así como también la incidencia de los escándalos de corrupción que sacudieron al Brasil en 2005. En países con economías precarias, las coyunturas económicas adversas pueden tener una influencia poderosa en la construcción de la agenda. Ni siquiera los índices de violencia extrema parecen poder competir con el desempleo y la pobreza, factores que relegan fácilmente a un segundo plano los asuntos de seguridad. Estas crisis no fueron esenciales para los procesos de las políticas que terminaron siendo aprobadas, pero ayudan a explicar por qué en ambos países fracasaron los intentos previos. De igual manera, el escándalo de corrupción ‘*mensalão*’ de 2005 fue decisivo para la última instancia de la toma de decisión en Brasil, en tanto fue una de las razones que explica la derrota de los partidarios del desarme en el referéndum.

También la consideración de los agentes del conocimiento (*knowledge-brokers*) fue clave para comprender los procesos de conformación de la agenda. La modificación de Knaggård (2015, 2016) aportó una muy necesaria agencia a la corriente de los problemas, y permitió analizar cómo cada sistema político institucionaliza la comunicación entre estos actores y los decisores públicos. Así, los académicos e investigadores brasileños parecen ser relevantes en la definición de condiciones como problemas públicos, al menos en aquellas áreas de políticas en las que se pueden percibir vacíos de gobernanza. Su activa participación, junto a la crisis de legitimidad que sufren los actores políticos, les provee de la credibilidad necesaria para participar de los procesos y dar sentido a las demás variables de la corriente de los problemas. Por el contrario, en Uruguay las universidades y centros de investigación suelen dedicarse a la ciencia pura, profundizando en sus áreas de investigación, pero dejando el estudio de problemas públicos particulares en manos de activistas, funcionarios y actores políticos. A su vez, los decisores públicos tampoco suelen requerir conocimientos especializados, por lo que la relación entre la investigación social y la formación de políticas públicas es escasa e inestable.

La buena gobernanza y el diseño de políticas basadas en evidencia empírica requieren de ámbitos de encuentro para los agentes del conocimiento y los decisores públicos. El caso uruguayo permite sugerir que la falta de participación por parte de académicos e investigadores en la definición de los problemas perjudica el desarrollo y la evolución de alternativas progresistas. El caso brasileño, por su parte, evidenció cómo los agentes del conocimiento que trabajan en ciencia aplicada y disfrutan de altos niveles de credibilidad, tienen una mayor facilidad para trascender la corriente de los problemas, involucrarse en el diseño de soluciones e incluso hacer carrera política. Este fenómeno es particularmente interesante, si bien dificulta la distinción entre agentes del conocimiento y promotores de políticas públicas. Por ello la distinción como agentes del conocimiento de Knaggard es más apropiada para aquellos actores que deciden permanecer en la corriente de los problemas. Su presencia en otras corrientes oscurece el concepto y complica su análisis.

Finalmente, la separación del proceso de acoplamiento en dos etapas (*agenda- and decision-coupling*) (Herweg et al., 2015; Zohlnhöfer et al., 2016) permite estudiar la toma de decisiones públicas en toda su complejidad, pues habilita una consideración más rigurosa de las instituciones formales. Como era esperable, los actores con poder de veto y las mayorías que son suficientes para adoptar políticas fueron muy importantes en ambos casos de estudio. Explicaron los fracasos de los primeros intentos de cambiar las políticas, así como las diferencias entre los proyectos de ley y las políticas aprobadas. Así, en los primeros intentos de reunir las corrientes para un acoplamiento decisonal, la fragmentación del sistema de partidos brasileño y las muchas facciones dentro de los partidos políticos uruguayos, impidieron que los promotores de las políticas creasen mayorías en torno a sus propuestas. De igual manera, el Estatuto del Desarme

incluyó una prohibición de la venta de armas a ciudadanos, que fue vetada dos años más tarde en un referéndum nacional. Sin un análisis independiente del proceso de decisiones, no sería posible explicar por qué el cambio final en la política de control de armas resultó tan distinto al planteado en el proyecto de ley original. Asimismo, los mecanismos de democracia directa tienen un rol que va más allá de la toma de decisiones, ya que la mera posibilidad de utilizarlos puede imponer limitaciones a las soluciones consideradas y encarecer un cambio del *status quo* en términos políticos.

Sobre este punto, discutimos si el MSF es capaz de explicar los *outcomes* de los procesos de políticas públicas que resultan del uso de mecanismos de democracia directa, ya que los autores del proceso de acoplamiento decisional no hacen referencia a esa posibilidad (Herweg et al., 2015; Zohlnhöfer et al., 2016). La pregunta es si el acoplamiento decisional puede reconocer instancias en las cuales el electorado ratifica, rechaza o modifica decisiones previas de los decisores públicos. Creemos que sí es capaz de hacerlo, siempre que los mecanismos de democracia directa estén proyectados como extensiones del proceso de toma de decisión. Es decir, en aquellos casos en los cuales los decisores políticos decidan extender el proceso de toma de decisión y transferir su poder de veto al electorado. El Estatuto del Desarme se dio de esta forma, en tanto que la realización del referendo estaba prevista en la ley. Se trata, sin embargo, de un caso atípico. Los mecanismos de democracia directa suelen ser invocados por los opositores de una decisión pública, a veces para decidir sobre políticas aprobadas años o décadas atrás sin la intención de que fuesen revisadas. En casos como estos, estaríamos más bien frente a nuevos procesos de acoplamiento de la agenda y de acoplamiento decisional.

De todas maneras, la consideración y el análisis de todas estas variables y dinámicas no habrían sido posibles sin las modificaciones aplicadas (Herweg et al., 2015; Knaggård, 2015, 2016; Zahariadis, 2003; Zohlnhöfer et al., 2016). Incluso si el acoplamiento de la agenda y el acoplamiento decisional estuviesen plegados en un mismo proceso (Zahariadis, 1995, 2003), el MSF habría sido ciego ante la mayoría de estos eventos. Como resultado, las explicaciones de los procesos habrían resultado incompletas y no incluirían algunos de los aspectos más interesantes de las trayectorias de estas políticas. En vista de ello, sólo podemos reconocer el valor adicional aportado por estas modificaciones, así como recomendar decididamente su uso y mejora continuos.

Segunda pregunta de investigación teórica:

¿Qué ajustes cabe hacer a la metodología del MSF para mejorar su aplicabilidad en el contexto latinoamericano?

A pesar de los resultados prometedores arriba descritos, encontramos algunas debilidades en la aplicabilidad del marco teórico a nuestros casos de estudio. La primera atañe a la inconsistencia entre los postulados del MSF y el caso brasileño, en relación a la influencia de los actores en la conformación de la agenda. Según Kingdon (1995: 199-200), existen participantes visibles y ocultos durante este proceso. Los visibles son lo que ejercen mayor influencia y suelen ser: decisores públicos, políticos, medios de comunicación y líderes de campañas políticas, entre otros. Sin embargo, nuestro análisis evidenció que académicos, expertos y activistas brasileños - organizados en ONG, *think tanks* y movimientos sociales, como *Sou da Paz* o *Viva Rio*- se desempeñaron como notorios promotores de políticas públicas. Es más, fueron particularmente influyentes y dotaron de una clara dimensión *bottom-up* al proceso de conformación de la agenda. Prueba de ello es que casi la totalidad de los entrevistados brasileños los reconoció como actores clave del proceso.

Ello podría ser una característica particular del caso de estudio, pero creemos que es un ejemplo de en qué medida el MSF suele ignorar la acción colectiva, una deficiencia del marco teórico ya identificada por Schlager (2007: 302-303). El caso uruguayo no apoya este argumento e incluso revela la poca visibilidad de los actores ocultos, ya que la influencia directa de académicos, investigadores y activistas fue casi simbólica en el proceso de construcción de la agenda. No obstante, es probable que Uruguay sí constituya una excepcionalidad regional en este sentido, debido a la inusual influencia de los partidos políticos en la política del país. En Brasil, por su parte, la importancia de los movimientos sociales y de las ONG es consistente con las descripciones de las dinámicas del SAM a nivel global e incluso en otros países de América Latina, como Argentina y algunos países centroamericanos (Álvarez Velasco, 2016: 152; Ballestrin, 2010; DerGhougassian, 2011).

Desarrollando esta idea, la relevancia de la sociedad civil en el proceso de formación de las políticas públicas podría ser una característica particular de los países en desarrollo, sobre todo en el contexto de Estados débiles e ilegítimos. Los comunes vacíos de gobernanza y la general desconfianza en las autoridades políticas podrían favorecer la participación de la sociedad civil en áreas de políticas públicas que en otros contextos permanecen en manos del Estado, como son la reducción de la pobreza y la solución a temas de vivienda, salud e incluso seguridad. Parece sensato que esta influencia sea poco considerada por el MSF, ya que la ‘época dorada’ de las

ONG se dio pocos años después del desarrollo original del marco teórico, y su participación destacada en estas áreas suele estar afuera del mundo industrializado.

Lamentablemente, una inconsistencia en un caso de estudio no es suficiente para validar un supuesto de tal envergadura. Por ello no es posible aceptar de forma concluyente nuestra hipótesis inicial sobre la aplicación insatisfactoria del MSF en los sistemas políticos de América Latina. A lo sumo, la mayor relevancia de la sociedad civil en la construcción de la agenda en países en desarrollo puede ser una hipótesis para investigaciones futuras. En tal caso, los investigadores que apliquen el MSF a países latinoamericanos y en desarrollo deberán estar particularmente atentos a la mayor influencia de los actores colectivos no estatales en la configuración de la agenda, así como a los matices posibles dentro de la distinción de Kingdon entre participantes visibles y ocultos.

Por último, creemos que nuestros casos de estudio demuestran que el MSF es eficaz para explicar el cambio en las políticas públicas, pero no tanto para discernir el alcance de esos cambios. Las conclusiones presentadas en relación con la *segunda pregunta de investigación empírica* son satisfactorias y plausibles, pero no son tan integrales como podrían serlo. Ello no debería sorprendernos, ya que el objetivo principal del MSF es la conformación de la agenda, y solo revisiones posteriores extendieron su aplicabilidad a la toma de decisiones públicas (Herweg et al., 2015; Zahariadis, 2003; Zohlnhöfer et al., 2016). No obstante, las deficiencias del MSF parecen estar relacionadas a una desatención a la manera en que sus elementos centrales se relacionan entre sí y producen diferentes resultados en base a ese relacionamiento. El MSF enfatiza el rol de los promotores de políticas públicas en la reunión de las corrientes, pero no considera explícitamente la forma en que las variables de distintas corrientes pueden incidir directamente unas sobre otras.

En este sentido, un camino prometedor puede estar relacionado con la incidencia de procesos de retroalimentación positivos y negativos (*positive and negative feedback processes*), como incluyen Baumgartner y Jones (2009) en el funcionamiento de la teoría del equilibrio puntuado (PET, por sus siglas en inglés) (*ver 4.3.3.2*). Sin entrar en detalles, digamos que los procesos de retroalimentación negativos no producen cambios de políticas públicas o sólo producen cambios incrementales. En cambio, los procesos de retroalimentación positivos ocasionan cambios radicales y se dan cuando existen discrepancias sobre la definición de un problema en un subsistema o en una comunidad de políticas públicas. Ello empodera a grupos de interés marginalizados que buscan soluciones alternativas, y los lleva a buscar en distintas jurisdicciones decisores políticos sensibles a sus propuestas. A medida que nuevos actores políticos se van involucrando en el asunto, comienza un proceso de construcción de la agenda de corte exponencial. La dispersión de sus propuestas se torna imparable, y la definición dominante del

problema se ve desafiada. Si hay suficientes decisores políticos convencidos de la nueva definición, puede llegar a darse un cambio de políticas disruptivo.

Este proceso guarda similitudes con las dinámicas que suceden en la corriente de las soluciones de Kingdon, donde las alternativas flotan en la sopa primitiva hasta concitar la atención de los promotores de políticas públicas, quienes intentan juntar las corrientes y encontrar decisores políticos receptivos. No obstante, los procesos de retroalimentación positivos parecen generar un efecto de bola de nieve, ejerciendo influencia sobre agentes del conocimiento, expertos de la comunidad de políticas públicas, grupos de interés, decisores políticos e incluso la opinión pública. Aparentemente incluyen un efecto expansivo que atrae a otros actores a la causa y dota al proceso de un mayor dinamismo.

El MSF comparte una base común con la teoría del caos y es sensible a las condiciones iniciales, lo que implica que considera los procesos de retroalimentación hasta cierto punto (*ver 4.3.2.1.4*). No obstante, una aproximación más explícita permitiría trascender las distintas corrientes y proveer un canal de comunicación entre las diferentes variables que componen sus elementos centrales. Con relación a nuestros casos de estudio, ello explicaría varias dinámicas observadas. Por ejemplo, cómo el apoyo público a las iniciativas de desarme se vio duramente afectado por un escándalo de corrupción en la corriente de los problemas. También, cómo la llegada de un gobierno más receptivo puede aumentar la credibilidad de los agentes del conocimiento.

Al mismo tiempo, somos conscientes de las grandes dificultades para el MSF que conllevarían los procesos de retroalimentación, incluso para el funcionamiento básico de los mecanismos internos del marco teórico. Entre otras razones, porque ello puede significar renunciar a la independencia de las corrientes, con todo lo que ello implica. En cualquier caso, un trabajo de ingeniería de tal envergadura va más allá de los objetivos de este estudio y se lo podría intentar en investigaciones futuras.

Limitaciones y líneas de investigación futuras

Confiamos en los resultados de nuestra investigación. Pudimos proporcionar las primeras explicaciones integrales a los procesos de políticas públicas que derivaron en el Estatuto del Desarme y en la RFOL. Asimismo, estimamos que los resultados son sensibles a generalizaciones contingentes (*ver 7.3*), esto significa que probablemente puedan informar situaciones similares en contextos similares. Este puede ser el caso de otros procesos de políticas de control de armas en América Latina, o nuestra comprensión general de los procesos de políticas públicas en la región.

No obstante, el limitado número de casos de nuestro estudio supone una representatividad inferior a la que hubiésemos deseado. Tomando en consideración la heterogeneidad de la región, Brasil y

Uruguay presentan grandes divergencias en las dimensiones de interés teórico. Ello incluye el estatus del control de armas en las agendas, la naturaleza y el alcance de los cambios de las políticas, los niveles de violencia armada y la presencia de agentes del conocimiento y grupos de presión con influencia sobre los procesos de políticas públicas. Además, su divergencia en cuanto a dimensiones, nivel de desarrollo, complejidad y poder, implicó un desafío adicional para el MSF y sus extensiones.

Estamos convencidos de que un tercer o cuarto caso de estudio nos hubiese proporcionado un conocimiento más preciso sobre la conformación de la agenda y los procesos de formación de políticas de control de armas en América Latina, así como la oportunidad de evaluar nuestras afirmaciones sobre la posibilidad de generalizar los resultados. En tal sentido, casos adicionales de estudio deberían buscar llenar los vacíos de nuestra selección de caso, por ejemplo escogiendo países en los cuales haya altos niveles de violencia armada pero en los que la presencia del control de armas en la agenda sólo sea residual. También sería interesante incluir casos en los que el control de armas ocupe un lugar prominente en la agenda, a pesar de no contar con la presencia de agentes del conocimiento creíbles, o de grupos de presión favorables al control de armas.

Más casos de estudio también hubiesen permitido evaluar nuestra afirmación sobre la importancia de la sociedad civil en la construcción de la agenda en los países en desarrollo. La pregunta aquí es si la capacidad de la sociedad civil para influenciar la conformación de la agenda es mayor en contextos de Estados débiles y actores políticos con poca legitimidad. El caso brasileño respalda este argumento, así como también las descripciones de otros casos de la región. La incorporación de nuevos casos de estudio y más áreas de políticas públicas podrían contribuir significativamente a dar respuestas más fiables.

Chapter 9: Bibliographic references

9.1 Literature and journalistic references

- Aboal D, Campanella J and Lanzilotta B (2013) Los costos del crimen en Uruguay. Documento de trabajo del BID # IDB-WP-408, Banco Interamericano de Desarrollo (BID).
- Adorno S and Dias C (2014) Monopólio estatal da violência. In: Sergio de Lima R, Luiz Rattón J, and Ghiringhelli de Azevedo R (eds), *Crime, Polícia e Justiça no Brasil*, São Paulo: Contexto, pp. 187–203.
- Adorno S and Salla F (2007) Organized criminality in prisons and the attacks of the PCC. *Estudos Avançados* 21(61): 7–29.
- Agg C (2006) Trends in Government Support for Non-Governmental Organizations: Is the ‘Golden Age’ of the NGO Behind Us? *Civil Society and Social Movements*, Geneva, Switzerland: United Nations Research Institute for Social Development (UNRISD).
- Agnew R (1992) Foundation for a General Strain Theory. *Criminology* 30(1): 47–87.
- Agozino B, Bowling B, Ward E, et al. (2009) Guns, crime and social order in the West Indies. *Criminology and Criminal Justice* 9(3): 287–305.
- Aguirre K (2011) El tráfico de armas en Colombia: una revisión desde los orígenes a los destinos. *Urvio, Revista Latinoamericana de Seguridad Ciudadana* 10: 36–59.
- Alcántara-Sáez M (2012) Partidos políticos en América Latina: hacia una profesionalización de calidad. *Convergencia* 19(58): 53–70.
- Alexandrova P, Carammia M and Timmermans A (2012) Policy Punctuations and Issue Diversity on the European Council Agenda. *Policy Studies Journal* 40(1): 69–88.
- Alford JR and Hibbing JR (2004) The Origin of Politics: An Evolutionary Theory of Political Behavior. *Perspectives on Politics* 2(4): 707–723.
- Alpers P, Bevan J, Florquin N, et al. (2003) Talking about Disarmament: The Role of Small Arms in Peace Processes. In: Small Arms Survey (ed.), *Small Arms Survey 2003: Development Denied*, Cambridge: Cambridge University Press, pp. 277–321.
- Althaus D and Dudley S (2014) Mexico’s Security Dilemma: Michoacán’s Militias: The Rise of Vigilantism in Mexico and Its Implications Going Forward. Winson Center & In SightCrime. Available from: http://www.insightcrime.org/images/PDFs/2016/MichSelfDefense_Althaus_Dudley.pdf (accessed 10 October 2015).
- ALUDEC (2016) *Armas en Uruguay: Una visión de la sociedad civil*. Montevideo, Uruguay: ALUDEC.
- Álvarez Velasco C (2016) Armas pequeñas y países pequeños: armas de fuego en la agenda de seguridad internacional. *Íconos. Revista de ciencias sociales* 55: 139–159.
- Alvazzi del Frate A and De Martino L (2013) Everyday Dangers: Non-conflict Armed Violence. In: Small Arms Survey (ed.), *Small Arms Survey 2013: Everyday Dangers*, Geneva: Cambridge University Press, pp. 7–15.
- Alvazzi del Frate A and De Martino L (2015) Every Body Counts: Measuring Violent Deaths. *Small Arms Survey - Research Notes*, Small Arms Survey 49(March).
- Anastasia F, Inácio M and Novais R (2006) Referendo e democracia: Perdas e ganhos. In: Inácio M, Novais R, and Anastasia F (eds), *Democracia e referendo no Brasil*, Belo Horizonte, Brasil: UFMG, pp. 15–33.

- Arias ED and Rodrigues CD (2006) The Myth of Personal Security: Criminal Gangs, Dispute Resolution, and Identity in Rio de Janeiro's Favelas. *Latin American Politics and Society* 48(4): 53–81.
- Arias P (2009) *Seguridad Privada en América Latina: el lucro y los dilemas de una regulación deficitaria*. Santiago de Chile: FLACSO.
- Axelrod R (1984) *The Evolution of Cooperation*. New York: Best Books.
- Bachrach P and Baratz MS (1962) Two Faces of Power. *The American Political Science Review* 56(4): 947–952.
- Baldomir L (2016) Usuarios y comerciantes recurren el decreto sobre control de armas. *El País (Uruguay)*, Montevideo, Uruguay. Available from: <http://www.elpais.com.uy/informacion/usuarios-comerciantes-recurren-decreto-control.html> (accessed 20 March 2017).
- Ballestrin LM de A (2010) Com quantas armas se faz uma Sociedade 'Civil'? Controles sobre Armas de Fogo na Governança Global, Brasil e Portugal (1995 - 2010). Universidade Federal de Minas Gerais.
- Banco Mundial (2007) *Uruguay: ¿Qué aprendimos de la crisis financiera de 2002?* Montevideo, Uruguay: Banco Mundial y Uruguay: Ministerio de Economía y Finanzas.
- Bardach E (2006) Policy Dynamics. In: Moran M, Rein M, and Goodin RE (eds), *The Oxford Handbook of Public Policy*, New York: Oxford University Press, pp. 336–366.
- Bargent J (2015) Vigilante Justice Popular Across Latin America: Report. *InSightCrime: Organized Crime in the Americas*. Available from: <http://www.insightcrime.org/news-analysis/vigilante-justice-popular-across-latin-america> (accessed 1 September 2015).
- Barragan M, Sherman N, Reiter K, et al. (2016) 'Damned if You Do, Damned if You Dont': Perceptions of Guns, Safety, and Legitimacy Among Detained Gun Offenders. *Criminal Justice and Behavior* 43(1): 140–155.
- Barrán JP (2014) *Historia de la sensibilidad en el Uruguay: La cultura 'bárbara' (1800-1860) y El disciplinamiento (1860-1920)*. Montevideo, Uruguay: Banda Oriental.
- Barrenche E (2015) Policías traficaron 300 armas a mafias de Brasil. *El País (Uruguay)*, Montevideo, Uruguay, 17th April. Available from: <http://www.elpais.com.uy/informacion/policias-trafficaron-armas-mafias-brasil.html> (accessed 17 March 2015).
- Baumgartner FR (2001) Political Agendas. In: Smelser NJ and Baltes PB (eds), *International Encyclopedia of Social and Behavioral Sciences: Political Science*, New York: Elsevier Science and Oxford: Pergamon, pp. 288–90.
- Baumgartner FR (2016) John Kingdon and the Evolutionary Approach to Public Policy and Agenda-Setting. In: Zahariadis N (ed.), *Handbook of Public Agenda-Setting*, Cheltenham, UK: Edward Elgar Publishing (Forthcoming).
- Baumgartner FR and Jones BD (1993) *Agendas and Instability in American Politics*. Chicago: The University of Chicago Press.
- Baumgartner FR and Jones BD (2009) *Agendas and Instability in American Politics*. 2nd ed. Chicago: The University of Chicago Press.
- Baumgartner FR, Green-Pedersen C and Jones BD (2006) Comparative Studies of Policy Agendas. *Journal of European Public Policy* 13(7): 959–974.
- Baumgartner FR, Berry JM, Hojnacki M, et al. (2009) *Lobbying and Policy Change: Who Wins, Who Loses, and Why*. Chicago: University of Chicago Press.
- Baumgartner FR, Jones BD and Wilkerson J (2011) Comparative Studies of Policy Dynamics.

- Comparative Political Studies* 44(8): 947–972.
- Bayce R (2010) Creando inseguridad: modelo para la construcción social de la desmesura. In: Mallo S and Viscardi N (eds), *Seguridad y miedos. Qué ciudadanía para los jóvenes.*, Montevideo, Uruguay: Universidad de la República, pp. 21–71.
- Beer SH (1965) *British Politics in the Collectivist Age*. New York: Random House.
- Béland D and Howlett M (2016) The Role and Impact of the Multiple-Streams Approach in Comparative Policy Analysis. *Journal of Comparative Policy Analysis: Research and Practice*, Routledge 18(3): 221–227.
- Bello C (2017) Tasa de suicidio es la más alta desde 2002. *El Observador*, Montevideo, Uruguay. Available from: <http://www.elobservador.com.uy/tasa-suicidio-es-la-mas-alta-2002-n1030808> (accessed 20 March 2017).
- Bennett CJ and Howlett M (1992) The lessons of learning: Reconciling theories of policy learning and policy change. *Policy Sciences* 25(3): 275–294.
- Bentancur N and Mancebo ME (2013) Pensando ‘o público’: os desenvolvimentos da Ciência Política sobre Estado e Políticas Públicas no Uruguai (1987–2012). *Revista Debates* 7(3): 09–30.
- Bentley AF (1908) *The Process of Government*. Chicago: University of Chicago Press.
- Bergara M, Pereyra A, Tansini R, et al. (2006) *Political Institutions, Policymaking Processes, and Policy Outcomes: The Case of Uruguay*. Research Network Working papers #R-510, Washington, D.C.: Inter-American Development Bank.
- Berman EG and Maze K (2012) *Regional Organizations and the UN Programme of Action on Small Arms (PoA)*. Geneva: Small Arms Survey.
- Betancourt E (2017) Target Interventions to Reduce Homicides in Mexico. *Connections: Development works here (Chemonics)*. Available from: <http://blog.chemonics.com/target-interventions-to-reduce-homicides-in-mexico> (accessed 5 May 2017).
- Bhalla K, Matzopoulos R, Harrison J, et al. (2012) Tracking National Homicide Rates: Generating Estimates Using Vital Registration Data. *Small Arms Survey - Research Notes*, Small Arms Survey 1.
- Birkland TA (2005) *An Introduction To The Policy Process: Theories, Concepts, And Models Of Public Policy Making*. 2nd ed. New York: M.E. Sharpe.
- Birkland TA (2006) Agenda-Setting in Public Policy. In: Fischer F, Miller GJ, and Sidney MS (eds), *Handbook of Public Policy Analysis: Theory, Politics, and Methods*, Boca Raton, FL: CRC Press, pp. 43–62.
- Black D (1983) Crime as Social Control. *American Sociological Review* 48(1): 34–45.
- Bott S, Guedes A, Goodwin M, et al. (2012) *Violence Against Women in Latin America and the Caribbean: A comparative Analyses of Population-based Data from 12 Countries*. Washington, D.C.: PAHO.
- Boushey G (2013) The punctuated equilibrium theory of agenda-setting and policy change. In: Araral Jr. E, Fritzen S, Howlett M, et al. (eds), *Routledge Handbook of Public Policy*, New York: Routledge, pp. 138–152.
- Boydston A (2013) *Making the News: Politics, the Media, and Agenda Setting*. Chicago: University of Chicago Press.
- Braga AA, Wintemute GJ, Pierce GL, et al. (2012) Interpreting the Empirical Evidence on Illegal Gun Market Dynamics. *Journal of Urban Health* 89(5): 779–793.
- BRASIL - MS/SVS (n.d.) *Redução de Homicídios no Brasil*. Ministério da Saúde (MS) e Secretaria de Vigilância em Saúde (SVS).

- Breunig C and Koski C (2009) Punctuated budgets and governors' institutional powers. *American Politics Research* 37(6): 1116–1138.
- Briceño-León R, Villaveces A and Concha-Eastman A (2008) Understanding the uneven distribution of the incidence of homicide in Latin America. *International Journal of Epidemiology* 37(4): 751–757.
- Brown W (2010) *Walled States, Waning Sovereignty*. New York: Zone Books.
- Brufau Clarke F (ed.) (2005) *Armas de fuego, municiones, explosivos y otros materiales relacionados: Leyes, decretos, y circulares, normas internacionales*. Available from: <http://www.rna.gub.uy/pdf/SERVICIO DE MATERIAL Y ARMAMENTO. Compendio Normativo.pdf> (accessed 28 March 2017).
- Bucheli M and Furtado M (2005) Uruguay 1998-2002: la distribución del ingreso en la crisis. *Revista de la CEPAL* 86(Agosto): 167–181.
- Buquet D (2012) El desarrollo de la Ciencia Política en Uruguay. *Revista de Ciencia Política* 50(1): 5–29.
- Buquet D (2016) La transformación del sistema de partidos uruguayo: reglas electorales, adaptación y equilibrio. In: Freidenberg F (ed.), *Los Sistemas de Partidos en América Latina 1978-2015: Cono Sur y Países Andinos - Tomo 2*, Ciudad de México: Universidad Nacional Autónoma de México, pp. 235–268.
- Búsqueda (2013a) Existe 'poderoso' lobby a favor de la tenencia de armas, dice Tourné. *Búsqueda*, Montevideo, Uruguay, 23rd January. Available from: <http://www.búsqueda.com.uy/nota/existe-poderoso-lobby-favor-de-la-tenencia-de-armas-dice-tourne> (accessed 15 March 2017).
- Búsqueda (2013b) Senado aprueba regular y controlar uso de armas. *Búsqueda*, Montevideo, Uruguay, 9th May. Available from: <http://www.búsqueda.com.uy/nota/senado-aprueba-regular-y-controlar-uso-de-armas> (accessed 16 March 2017).
- Búsqueda (2016) Dos ministros que fueron guerrilleros, Fernández Huidobro y Bonomi, quedaron enfrentados acerca de la tenencia de armas por civiles. *Búsqueda*, Montevideo, Uruguay, 3rd March. Available from: <http://www.búsqueda.com.uy/nota/dos-ministros-que-fueron-guerrilleros-fernandez-huidobro-y-bonomi-quedaron-enfrentados-acerca> (accessed 20 March 2017).
- Buzan B, Wæver O and de Wilde J (1998) *Security: A New Framework for Analysis*. London: Lynne Rienner Publishers.
- Caetano G and Rilla JP (1992) Raíces y permanencias de la partidocracia uruguaya. *Secuencia*: 143–172.
- CAF (Corporación Andina de Fomento) (2014) *Por una América Latina más segura: Una nueva perspectiva para prevenir y controlar el delito*. Bogotá, Colombia: Panamericana Formas e Impresos S.A.
- Cairney P (2013) What is evolutionary theory and how does it inform policy studies? *Policy & Politics* 41(2): 279–298. Available from: <http://openurl.ingenta.com/content/xref?genre=article&issn=0305-5736&volume=41&issue=2&spage=279>.
- Cairney P (2015) Paul A. Sabatier, 'An Advocacy Coalition Framework of Policy Change and the Role of Policy-Oriented Learning Therein'. In: Balla SJ, Lodge M, and Page EC (eds), *The Oxford Handbook of Classics in Public Policy and Administration*, Oxford: Oxford University Press, pp. 484–497.
- Cairney P and Heikkilä T (2014) A Comparison of Theories of the Policy Process. 3rd ed. In: Sabatier PA and Weible CM (eds), *Theories of the Policy Process*, Chic: Westview Press, pp. 363–389.

- Cairney P and Jones MD (2016) Kingdon's Multiple Streams Approach: What Is the Empirical Impact of this Universal Theory? *Policy Studies Journal* 44(1): 37–58.
- Canabarro DR (2009) O Brasil das pequenas armas: Lucro versus segurança? Dissertação apresentada como exigência para conclusão do curso de Mestrado em Relações Internacionais - Instituto de Filosofia e Ciências Humanas, Universidade Federal do Rio Grande do Sul.
- Capano G (2009) Understanding Policy Change as an Epistemological and Theoretical Problem. *Journal of Comparative Policy Analysis: Research and Practice* 11(1): 7–31.
- Capano G and Howlett M (2009a) Conclusion: A research agenda for policy dynamics. In: Capano G and Howlett M (eds), *European and North American Policy Change: Drivers and Dynamics*, New York: Routledge / ECPR Studies in European Political Science, pp. 217–231.
- Capano G and Howlett M (2009b) Introduction: The Determinants of Policy Change: Advancing the Debate. *Journal of Comparative Policy Analysis: Research and Practice* 11(1): 1–5.
- Capano G and Howlett M (2009c) Introduction: the multidimensional world of policy dynamics. In: Capano G and Howlett M (eds), *European and North American Policy Change: Drivers and Dynamics*, New York: Routledge / ECPR Studies in European Political Science, pp. 1–12.
- Capella ACN and Brasil FG (2015) *The application of Multiple Streams model in Researches in Brazil*. Available from: <http://www.icpublicpolicy.org/conference/file/reponse/1434139677.pdf> (accessed 1 January 2016).
- Capella ACN and Brasil FG (2016) Os Estudos das Políticas Públicas no Brasil: Passado, Presente e Caminhos Futuros da Pesquisa Sobre Análise de Políticas. *Revista Política Hoje* 25(1): 71–90.
- Capella ACN, Soares AG and Brasil FG (2014) *Pesquisa em políticas públicas: Um mapeamento da aplicação de modelos internacionais recentes na literatura nacional*. Available from: http://www.encontroabcp2014.cienciapolitica.org.br/resources/anais/14/1403738847_ARQUIVO_ABCP_final.pdf (accessed 1 January 2016).
- Capriolo D, Jaitman L and Mello M (2017) Los costos del crimen sobre el bienestar en Brasil, un país de contrastes. In: Jaitman L (ed.), *Los costos del Crimen y la violencia: Nueva evidencia y hallazgos en América Latina y el Caribe*, Washington, D.C.: Banco Interamericano de Desarrollo (BID), pp. 55–70. Available from: <http://www.iadb.org/es/banco-interamericano-de-desarrollo,2837.html>.
- Carlson JD (2014) States, subjects and sovereign power: Lessons from global gun cultures. *Theoretical Criminology* 18(3): 335–353.
- Cawley M (2013) Do Stricter Gun Laws Reduce Gun Violence in Latin America? *InSightCrime: Investigation and Analysis of Organized Crime*. Available from: <http://www.insightcrime.org/news-analysis/does-strict-gun-legislation-reduce-violent-crime-in-latam> (accessed 1 January 2016).
- CEPAL (Comisión Económica para América Latina y el Caribe) (2012) *Población, territorio y desarrollo sostenible*. Santiago de Chile: CEPAL.
- CEPAL (Comisión Económica para América Latina y el Caribe) (2014) *Panorama Social de América Latina*. Santiago de Chile: CEPAL.
- Cesar Conrado F (2006) Quem crê em Cristo, diz sim à vida? As igrejas e o desarmamento. In: *Referendo do sim ao não: Uma experiência da democracia brasileira - Comunicações nº*

- 62, Rio de Janeiro, Brazil: Instituto de Estudos da Religião ISER, pp. 74–85.
- César Fernandes R and de Sousa Nascimento M (2007) Mapping the Divide: Firearm Violence and Urbanization in Brazil. In: Small Arms Survey (ed.), *Small Arms Survey 2007: Guns and the City*, Cambridge: Cambridge University Press, pp. 227–255.
- Chasquetti D and Buquet D (2004) La democracia en Uruguay: una partidocracia de consenso. *Política*, Universidad de Chile 42(Otoño): 221–247.
- CIFRA (2016) La inseguridad y la gestión de Bonomi. *October 27*. Available from: <http://www.cifra.com.uy/index.php/2016/10/27/la-inseguridad-y-la-gestion-de-bonomi/> (accessed 1 January 2017).
- Cobb RW and Elder CD (1972) *Participation in American Politics: The Dynamics of Agenda Building*. Baltimore, MD: The John Hopkins University Press.
- Cobb RW and Howard Ross M (eds) (1987) *Cultural Strategies of Agenda Denial: Avoidance, Attack, and Redefinition*. Lawrence, KS: University Press of Kansas.
- Cohen BC (1963) *The Press and Foreign Policy*. Princeton, NJ: Princeton University Press.
- Cohen MD, March JG and Olsen JP (1972) A Garbage can Model of Organizational Choice. *Administrative Science Quarterly* 17(1): 1–25.
- Cook PJ and Braga AA (2001) Comprehensive Firearms Tracing: Strategic and Investigative Uses of New Data on Firearms Markets. *Arizona Law Review* 43(2): 277–310.
- Cook PJ and Goss KA (2014) *The Gun Debate: What Everyone Needs to Know*. New York: Oxford University Press.
- Cooper N (2011) Humanitarian Arms Control and Processes of Securitization: Moving Weapons along the Security Continuum. *Contemporary Security Policy* 31(1): 134–158.
- Correa I and Nunes F (2006) Democracia, Poder Legislativo e mecanismos institucionais participativos. In: Inácio M, Novais R, and Anastasia F (eds), *Democracia e referendo no Brasil*, Belo Horizonte, Brasil: UFMG, pp. 121–155.
- Crank JP (1994) Watchman and Community: Myth and Institutionalization in Policing. *Law and Society Review* 8(2): 235.
- Crawford A (2006a) Networked governance and the post-regulatory state?: Steering, rowing and anchoring the provision of policing and security. *Theoretical Criminology* 10(4): 449–479.
- Crawford A (2006b) Policing and security as ‘club goods’: the new enclosures. In: Wood J and Dupont B (eds), *Democracy, Society and the Governance of Security*, New York: Cambridge University Press, pp. 111–137.
- Creswell JW (2014) *Research Design: Qualitative, Quantitative and Mixed Methods Approaches*. 4th ed. SAGE Publications.
- Cukier W and Sidel VW (2006) *The Global Gun Epidemic: From Saturday Night Specials to AK-47s*. Westport, USA: Praeger Security International.
- Dahl RA (1961) *Who Governs?* New Haven, CT: Yale University Press.
- Dammert L, Salazar F, Montt C, et al. (2010) *Crimen e Inseguridad: Indicadores para las Américas*. Santiago, Chile: FLACSO-Chile/Banco Interamericano de Desarrollo (BID).
- Datafolha (2001) Maioria associa São Paulo a aspectos negativos. *Opinião Pública* 23/01/2001. Available from: <http://datafolha.folha.com.br/opiniaopublica/1226808?maioria?associa?sao?paulo?a?aspectos?negativos.shtml> (accessed 1 January 2016).
- Datafolha (2002) FHC encerra mandato com reprovação maior do que aprovação. *Opinião*

- Pública* 15/12/2002. Available from:
<http://datafolha.folha.uol.com.br/opiniaopublica/2002/12/1222326?fhc?encerra?mandato?com?reprovacao?maior?do?que?aprovacao.shtml> Links (accessed 1 January 2016).
- Datafolha (2003) Avaliação de Marta Suplicy se mantém estável. *Opinião Pública* 28/12/2003. Available from:
<http://datafolha.folha.uol.com.br/opiniaopublica/2003/12/1223765?avaliacao?de?marta?suplicy?se?mantem?estavel.shtml> (accessed 1 January 2016).
- Datafolha (2005) 80% acham que o comércio de armas de fogo e munição deve ser proibido. *Opinião Pública* - 27/07/2005. Available from:
<http://datafolha.folha.uol.com.br/opiniaopublica/2005/07/1226824-80-acham-que-o-comercio-de-armas-de-fogo-e-municao-deve-ser-proibido.shtml> (accessed 15 January 2017).
- de Gouvêa Franco C (1999a) Fabricante defende atual legislação. *Folha de São Paulo*, São Paulo, 6th June. Available from:
<http://www1.folha.uol.com.br/fsp/cotidian/ff06069912.htm> (accessed 26 December 2016).
- de Gouvêa Franco C (1999b) Lobby a favor de armas se organiza no país. *Folha de São Paulo*, São Paulo, 24th May. Available from:
<http://www1.folha.uol.com.br/fsp/cotidian/ff24059909.htm> (accessed 26 December 2016).
- de León Escribano CR (2011) Tráfico ilícito de armas y municiones: Guatemala y la región centroamericana. *Urvio, Revista Latinoamericana de Seguridad Ciudadana* (10): 77–92.
- De Martino L (2012) Reducing Armed Violence, Enabling Development. *Small Arms Survey - Research Notes*, Research Notes, Small Arms Survey (19): 1–4.
- DeLeon P (1997) Una revisión del proceso de las políticas: de Lasswell a Sabatier. *Gestión y Política Pública* VI(1): 5–17.
- DerGhougassian K (2007) Conclusión: Menos Armas, Menos Víctimas. In: DerGhougassian K (ed.), *Las Armas y las Víctimas: Violencia, Proliferación y Uso de Armas de Fuego en la Provincia de Buenos Aires y la Argentina*, Buenos Aires: Universidad de San Andrés, pp. 89–90.
- DerGhougassian K (2011) Las armas livianas en la agenda internacional y el excepcionalismo americano: Estados Unidos y América Latina en la perspectiva conceptual de la securitización. *Urvio, Revista Latinoamericana de Seguridad Ciudadana* 10: 23–35.
- DerGhougassian K and Fleitas DM (2007) Violencia y uso de armas en la provincia de Buenos Aires. In: DerGhougassian K (ed.), *Las Armas y las Víctimas: Violencia, Proliferación y Uso de Armas de Fuego en la Provincia de Buenos Aires y la Argentina*, Buenos Aires: Universidad de San Andrés, pp. 13–37.
- Domhoff GW (1971) *The Higher Circles: The Governing Class in America*. New York: Vintage Books/Random House.
- Donnangelo J (2006) Evolución y patrones recientes de la criminalidad en Uruguay (con especial referencia a la violencia letal). Informe técnico.
- Donnangelo J (2008) Homicidios en Montevideo: una clasificación basada en los motivos y en el tipo de relación entre víctimas y autores. In: Paternain R and Sanseviero R (eds), *Violencia, inseguridad y miedos en Uruguay. ¿Qué tienen para decir las ciencias sociales?*, Montevideo, Uruguay: Friedrich Ebert Stiftung FESUR, pp. 111–120.
- dos Santos RA (2007) Entre leis e armas: As disputas legislativas federais em torno do desarmamento. Dissertação de mestrado - Departamento de Antropologia, Universidade de Brasília.
- Draper G (2014) Cada día en promedio 2,5 personas sufren heridas de bala o son asesinadas por disparos con armas de fuego en Montevideo. *Búsqueda*, Montevideo, Uruguay. Available

- from: <http://www.búsqueda.com.uy/nota/cada-dia-en-promedio-25-personas-sufren-heridas-de-bala-o-son-asesinadas-por-disparos-con-armas> (accessed 20 March 2017).
- Dreyfus P (2007) 'Dime con que armas andan, y te diré que campaña quieres'. In: DerGhougassian K (ed.), *Las Armas y las Víctimas: Violencia, Proliferación y Uso de Armas de Fuego en la Provincia de Buenos Aires y la Argentina*, Buenos Aires: Universidad de San Andrés, pp. 39–63.
- Dreyfus P and de Sousa Nascimento M (2005) Posse de Armas de Fogo no Brasil: Mapeamento das armas e seus proprietários. In: *Brasil: as armas e as vítimas*, Rio de Janeiro: 7Letras, pp. 126–196.
- Dreyfus P and de Sousa Nascimento M (2010) *Small Arms Holdings in Brazil: Toward a comprehensive mapping of guns and their owners*. Rio de Janeiro: Viva Rio.
- Dreyfus P and Marsh N (2006) *Tracking the guns: International diversion of small arms to illicit markets in Rio de Janeiro*. Rio de Janeiro & Oslo.
- Dreyfus P and Rangel Bandeira A (2006) *Watching the Neighborhood: An assessment of small arms and ammunition 'Grey Transactions' on the borders between Brazil and Paraguay, Bolivia, Uruguay and Argentina*. Working Document, Working Document 2: Small Arms Control Project & Viva Rio.
- Dreyfus P, Iootty Dias C, Lessing B, et al. (2003) *Control de Armas Pequeñas en el Mercosur*. Serie América Latina No. 3. International Alert & Viva Rio.
- Dreyfus P, Lessing B and Cesar Purcena J (2005) A Indústria Brasileira de armas leves e de pequeno porte: Produção Legal e Comércio. In: César Fernandes R (ed.), *Brasil: as armas e as vítimas*, Rio de Janeiro: 7Letras, pp. 64–125.
- Dreyfus P, Lessing B and Purcena JC (2010) The Brazilian Small Arms Industry: Legal Production and Trade. In: Dreyfus P, Lessing B, De Sousa Nascimento M, et al. (eds), *Small Arms in Brazil: Production, Trade, and Holdings*, Geneva, Switzerland: Small Arms Survey, pp. 30–83.
- Dupont B, Grabosky P and Shearing C (2003) The Governance of Security in Weak and Failing States. *Criminal Justice* 3(4): 331–349.
- Eckstein H (1975) Case Study and Theory in Political Science. In: Greenstein FI and Polsby NW (eds), *Handbook of Political Science - Vol. 7 of Political science: Scope and theory*, Reading, MA: Addison-Wesley, pp. 79–138.
- Eissler R, Russell A and Jones BD (2014) New avenues for the study of agenda setting. *Policy Studies Journal* 42(S1): 71–86.
- El Observador (2011) Liberaron al hombre que mató por error a su hija. *El Observador*, Montevideo, Uruguay, 28th November. Available from: <http://www.elobservador.com.uy/liberaron-al-hombre-que-mato-error-su-hija-n214071> (accessed 10 April 2017).
- El Observador (2013) Un arma por una Ceibalita o una bicicleta. *El Observador*, Montevideo, Uruguay, 29th March. Available from: <http://www.elobservador.com.uy/un-arma-una-ceibalita-o-una-bicicleta-n242423> (accessed 27 April 2017).
- El Observador (2016a) Cuatro años de La Pasiva y anuncios en seguridad. *El Observador*, Montevideo, Uruguay, 9th April. Available from: <http://www.elobservador.com.uy/cuatro-anos-la-pasiva-y-anuncios-seguridad-n893952> (accessed 30 March 2017).
- El Observador (2016b) Prima postura de Interior y habrá más exigencias en porte de armas. *El Observador*, Montevideo, Uruguay. Available from: <http://www.elobservador.com.uy/prima-postura-interior-y-habra-mas-exigencias-porte-armas-n955173> (accessed 20 March 2017).

- Eldredge N and Gould SJ (1972) Punctuated Equilibria: An Alternative to Phyletic Gradualism. In: Schopf and T.J.M. (eds), *Models in Paleobiology*, San Francisco: Freeman, Cooper and Co., pp. 82–115.
- Evangelist M and Sathe V (2006) *Brazil's 1998-1999 Currency Crisis*. Available from: <http://www-personal.umich.edu/~kathrynd/Brazil.w06.pdf> (accessed 1 January 2016).
- Evans T (2012) *El sentido de armarse. Una mirada sociológica sobre la tenencia de armas de fuego en la población civil uruguaya*. Montevideo, Uruguay: Dpto. de Sociología - Facultad de Ciencias Sociales; Udelar.
- Farah MFS (2013) A contribuição da Administração Pública para a constituição do campo de estudos de políticas públicas. 1st ed. In: Marques E and Faria CAP (eds), *A Política Pública como Campo Multidisciplinar*, Sao Paulo / Rio de Janeiro: Unesp / Fiocruz, pp. 91–126.
- FBSP (2015) *Anuário Brasileiro de Segurança Pública 2015*. São Paulo, Brasil: Fórum Brasileiro de Segurança Pública.
- Filardo V (2010) El miedo a la violencia en la ciudad y sus consecuencias son ‘reales’. In: Mallo S and Viscardi N (eds), *Seguridad y miedos. Qué ciudadanía para los jóvenes.*, Montevideo: Universidad de la República, pp. 163–174.
- Fleitas DM (2010) *Los Planes de Recolección de Armas en Latinoamérica*. BID (Working Document).
- Fleitas DM (2015) Delito y Violencia en Uruguay. Documento de Trabajo, Buenos Aires, Argentina: Asociación para Políticas Públicas.
- Fleitas DM and Otamendi A (2007) Uruguay. In: Sáenz Breckenridge S (ed.), *Armas pequeñas y livianas: Una amenaza a la seguridad hemisférica*, San José, C.R.: FLACSO - Secretaría General, pp. 91–106.
- Fleitas DM, Lodola G and Flom H (2014) *Delito y violencia en América Latina y el Caribe Perfil: Perfiles de los Países de la Región*. Buenos Aires: Asociación para Políticas Públicas.
- Folha de São Paulo (2003) 82 % aprovam Estatuto do Desarmamento, diz Ibope. *Folha de São Paulo*, São Paulo, 30th September. Available from: <http://www1.folha.uol.com.br/folha/brasil/ult96u53915.shtml> (accessed 31 December 2016).
- Fonseca F, Keinert R, Blikstein I, et al. (2006) O Sistema Nacional de Armas (Sinarm) como Sistema de Gerenciamento do Estoque Legal de Armas no Brasil: Uma Contribuição às Políticas Públicas. *Cadernos Gestão Pública e Cidadania* 11(48): 15–41. Available from: 18062261.
- Fontaine G (2015) Lecciones de América Latina sobre las dimensiones racionales, cognitivas e institucionales del cambio de políticas: Presentación del dossier. *Íconos. Revista de ciencias sociales* (53): 11–30.
- Foucault M (1977) *Discipline and Punish*. London: Allen Lane.
- Freedom House (2017) *Freedom in the World 2017 - Populists and Autocrats: The Dual Threat to Global Democracy*. Washington, D.C.: Freedom House.
- Fuks M and Novais R (2006) O referendo e a cobertura da imprensa: Uma análise do ambiente informacional. In: Inácio M, Novais R, and Anastasia F (eds), *Democracia e referendo no Brasil*, Belo Horizonte, Brasil: UFMG, pp. 180–205.
- Fuks M and Paiva D (2006) Persuasão e deliberação sobre políticas públicas: A propaganda política no ‘referendo das armas’. In: Inácio M, Novais R, and Anastasia F (eds), *Democracia e referendo no Brasil*, Belo Horizonte, Brasil: UFMG, pp. 206–248.

- Fundación Arias para la Paz y el Progreso Humano (2009) *Transferencia de armas hacia y desde América Latina*. San José, C.R.: Fundación Arias para la Paz y el Progreso Humano.
- Galiani S and Jaitman L (2015) Crimen: La anomalía latinoamericana. *Foco economico: Un blog de economía bastante racional*. Available from: www.focoeconomico.org/2015/05/17/crimen-la-anomalia-latinoamericana/ (accessed 9 September 2015).
- Gallardo J, Garcé A and Ravecca P (2009) *Think Tanks y expertos en el gobierno del Frente Amplio (Uruguay, 2005-2008)*. Montevideo, Uruguay: Instituto de Ciencia Política de la Facultad de Ciencias Sociales de la Universidad de la República.
- Gallego R, Barbieri N and González S (2016) Reinterpreting the Multiple-Streams Framework from a Process Approach: Decision-Making and Policy-Shift in Public Health Management in Catalonia, 2003-7. In: Zohlnhöfer R and Rüb FW (eds), *Decision-Making under Ambiguity and Time Constraints: Assessing the Multiple-Streams Framework*, Colchester, UK: ECPR Press, pp. 231-250.
- Garcé A (2007) Una interfase estrecha e inestable. Think tanks y partidos políticos en Uruguay. In: Garcé A and Uña G (eds), *Think Tanks y políticas públicas en Latinoamérica: dinámicas globales y realidades regionales*, Buenos Aires, Argentina: Prometeo Libros, pp. 293-316.
- Garcé A and Rocha CC (2015) La ciencia política en Uruguay: Entre la profesionalización, la partidización y el fantasma del 'Movimiento Perestroika'. *Revista de Ciencia Política* 35(1): 121-144.
- Garcia D (2004) *Making New International Norms: The Small Arms Case*. BCSIA Discussion Paper 2003-13, Kennedy School of Government, Harvard University.
- García Pinzón V (2012) Violencia y tráfico de armas pequeñas y ligeras en el Cono Sur. 1st ed. In: Vargas Velásquez A (ed.), *El prisma de las seguridades en América Latina: Escenarios regionales y locales*, Ciudad Autónoma de Buenos Aires: CLACSO, pp. 217-236.
- Garland D (1996) The Limits of the Sovereign State. Strategies of Crime Control in Contemporary Society. *The British Journal of Criminology* 36(4): 445-471.
- Garland D (1997) 'Governmentality' and the Problem of Crime: Foucault, criminology, sociology. *Theoretical Criminology* 1(2): 173-214.
- Garland D (2001) *The Culture of Control. Crime and Social Order in Contemporary Society*. Chicago: University of Chicago Press.
- Geneva Declaration Secretariat (2011) *Global Burden of Armed Violence 2011: Lethal Encounters*. Cambridge: Cambridge University Press.
- Geneva Declaration Secretariat (2015) *Global Burden of Armed Violence 2015: Every Body Counts*. Geneva: Geneva Declaration Secretariat.
- George AL and Bennett A (2005) *Case Studies and Theory Development in the Social Sciences*. Cambridge: The MIT Press.
- Gerring J (2004) What is a Case Study and What is it Good for? *The American Political Science Review* 98(2): 341-354.
- Gerring J (2008) Case Selection for Case-Study Analysis: Qualitative and Quantitative Techniques. In: Box-Steffensmeier JM, Brady HE, and Collier D (eds), *The Oxford Handbook of Political Methodology*, Oxford: Oxford University Press, pp. 645-684.
- Gilgen E (2012) A Fatal Relationship: Guns and Deaths in Latin America and the Caribbean. In: Small Arms Survey (ed.), *Small Arms Survey 2012: Moving Targets*, New York: Cambridge University Press, pp. 9-39.

- Godnick W (2010) An Examination of the Impact of Voluntary Weapons Collection Programmes on Citizen Security in Latin America. University of Bradford.
- Godnick W and Bustamante J (2013) El tráfico de armas de fuego en América Latina y el Caribe: Mitos, realidades y vacíos en la agenda internacional de investigación. In: Niño Guarnizo C (ed.), *Anuario 2013 de la Seguridad Regional en América Latina y el Caribe*, Bogotá: Friedrich Ebert Stiftung (FES), pp. 279–308.
- Godnick W and Vázquez H (2003a) *Control de las Armas Pequeñas en América Latina*. Serie América Latina No. 1. International Alert & Viva Rio.
- Godnick W and Vázquez H (2003b) *Small Arms Control in Central America*. Latin American Series No. 2. International Alert & Viva Rio.
- Godnick W, Muggah R and Waszink C (2003) *Balas perdidas: el impacto del mal uso de armas pequeñas en Centroamérica*. *Small Arms Survey & IANSA: Documento ocasional* #5.
- Godoy AS (2004) When ‘justice’ is criminal: Lynchings in contemporary Latin America. *Theory and Society* 33: 621–651.
- Goertzel T and Kahn T (2009) The Great São Paulo Homicide Drop. *Homicide Studies* 13(4): 398–410.
- González V (2012) Suicidio y precariedad en el Uruguay. In: Paternain R and Rico Á (eds), *Uruguay: Inseguridad, delito y Estado*, Montevideo, Uruguay: CSIC Universidad de la República, Trilce, pp. 230–242.
- Grillot SR, Stapley CS and Hanna ME (2006) Assessing the Small Arms Movement: The trials and tribulations of a transnational network. *Contemporary Security Policy* 27(1): 60–84.
- Grugel J and Riggirozzi P (2012) Post-neoliberalism in Latin America: Rebuilding and Reclaiming the State after Crisis. *Development and Change* 43(1): 1–21.
- Güemes C (2016) *Trátame suavemente. Confianza social en Latinoamérica, Argentina bajo la lupa*. San José, C.R.: FLACSO.
- Gupta K (2012) Comparative Public Policy: Using the Comparative Method to Advance Our Understanding of the Policy Process. *The Policy Studies Journal* 40(1): 11–26.
- Hall S and Winlow S (2003) Rehabilitating Leviathan: Reflections on the State, Economic Regulation and Violence Reduction. *Theoretical Criminology* 7(2): 139–162.
- Hammersley M (2008) Challenging Relativism: The Problem of Assessment Criteria. *Qualitative Inquiry* 15(1): 3–29.
- Hardin G (1968) The Tragedy of the Commons. *Science* 162: 1243–1248.
- Hardin G (1998) Extensions of ‘The Tragedy of the Commons’. *Science* 280: 682–683.
- Heclo HH (1972) Review Article: Policy Analysis. *British Journal of Political Science* 2(1): 83–108.
- Heclo HH (1974) *Modern Social Politics in Britain and Sweden. From Relief to Income Maintenance*. New Haven, CT and London: Yale University Press.
- Heclo HH (1978) Issue Networks and the Executive Establishment. In: King A (ed.), *The New American Political System*, Washington, D.C.: American Enterprise Institution, pp. 87–107, 115–124.
- Heidbreder B (2012) Agenda Setting in the States: How Politics and Policy Needs Shape Gubernatorial Agendas. *Politics & Policy* 40(2): 296–319.
- Helmke G and Levitsky S (eds) (2006) *Informal institutions and democracy: lessons from Latin America*. Baltimore, MD: The John Hopkins University Press.
- Hemenway D (2011) Risks and Benefits of a Gun in the Home. *American Journal of Lifestyle*

Medicine 5(6): 502–511.

- Herweg N (2016) Clarifying the Concept of Policy-Communities in the Multiple-Streams Framework. In: Zohlnhöfer R and Rüb FW (eds), *Decision-Making under Ambiguity and Time Constraints: Assessing the Multiple-Streams Framework*, Colchester, UK: ECPR Press, pp. 125–145.
- Herweg N, Huß C and Zohlnhöfer R (2015) Straightening the three streams: Theorising extensions of the multiple streams framework. *European Journal of Political Research* 54(3): 435–449.
- Hill SM (2006) Introduction: Future Directions in Small Arms Control. *Contemporary Security Policy* 27(1): 1–11.
- Hirst P (2000) Democracy and Governance. In: Pierre J (ed.), *Debating Governance*, New York: Oxford University Press, pp. 13–35.
- Hogwood BW and Peters G (1982) The Dynamics of Policy Change: Policy Succession. *Policy Sciences* 14: 225–245.
- Howlett M, McConnell A and Perl A (2016) Kingdon à la Carte: A New Recipe for Mixing Stages, Cycles, Soups and Streams. In: Zohlnhöfer R and Rüb FW (eds), *Decision-Making under Ambiguity and Time Constraints: Assessing the Multiple-Streams Framework*, Colchester, UK: ECPR Press, pp. 73–89.
- IBGE (2017) Microdados reponderados da PNAD 2001 - 2012. Instituto Brasileiro de Geografia e Estatística (IBGE). Available from: <http://www.ibge.gov.br/home/estatistica/populacao/trabalhoerendimento/pnad2014/microdados.shtm> (accessed 6 February 2017).
- IELSUR (2016) *Menos armas, más seguridad: Aportes para la comprensión de la problemática de las armas de fuego en Uruguay*. Montevideo, Uruguay: IELSUR.
- Igarapé Institute (2017) Homicide Monitor. Available from: <https://homicide.igarape.org.br/> (accessed 1 May 2017).
- Inácio M (2006) Implementando a agenda presidencial? A participação do poder executivo no referendo sobre as armas. In: Inácio M, Novais R, and Anastasia F (eds), *Democracia e referendo no Brasil*, Belo Horizonte, Brasil: UFMG, pp. 34–73.
- Inácio M, Novais R and Anastasia F (eds) (2006) *Democracia E Referendo No Brasil*. Belo Horizonte, Brasil: UFMG.
- Iootty Dias C (2005) Legislação para controle de armas leves no Brasil: de Vargas a Lula. In: César Fernandes R (ed.), *Brasil: as armas e as vítimas*, Rio de Janeiro: 7Letras, pp. 37–63.
- ISER (2006) *Referendo do sim ao não: Uma experiência da democracia brasileira - Comunicações nº 62*. Rio de Janeiro: Instituto de Estudos da Religião ISER.
- Israel S (2016) El control de armas más estricto y con más limitaciones para los civiles genera debate en la sociedad y resistencias en el Ejército. *Búsqueda*, Montevideo, Uruguay. Available from: <http://www.búsqueda.com.uy/nota/el-control-de-armas-mas-estricto-y-con-mas-limitaciones-para-los-civiles-genera-debate-en-la> (accessed 20 March 2017).
- Jaitman L and Torre I (2017) Un enfoque sistemático para medir el costo del crimen en 17 países de América Latina y el Caribe. In: Jaitman L (ed.), *Los costos del crimen y de la violencia: Nueva evidencia y hallazgos en América Latina y el Caribe*, Washington, D.C.: Banco Interamericano de Desarrollo (BID), pp. 21–32.
- Jann W and Wegrich K (2007) Theories of the Policy Cycle. In: Fischer B, Miller GJ, and Sidney MS (eds), *Handbook of Public Policy Analysis: Theory, Politics, and Methods*, Boca Raton, FL: CRC Press, pp. 43–62.
- John P (1998) *Analysing Public Policy*. Critical political studies, Continuum International

Publishing Group.

- John P (2003) Is There Life After Policy Streams, Advocacy Coalitions, and Punctuations: Using Evolutionary Theory to Explain Policy Change? *Policy Studies Journal* 31(4): 481–498.
- John P (2013) New directions in public policy: theories of policy change and variation reconsidered. *International Conference on Public Policy*: 1–36.
- Johnson JB and Reynolds HT (2012) *Political Science Research Methods*. 7th ed. Thousand Oaks, CA: CQ Press.
- Johnston L (1996) What Is Vigilantism? *British Journal of Criminology* 36(2): 220–236.
- Jones BD (1994) *Reconceiving Decision-Making in Democratic Politics: Attention, Choice, and Public Policy*. Chicago: The University of Chicago Press.
- Jones BD and Baumgartner FR (2005) *The Politics of Attention: How Government Prioritizes Problems*. Chicago: The University of Chicago Press.
- Jones BD and Baumgartner FR (2012) From There to Here: Punctuated Equilibrium to the General Punctuation Thesis to a Theory of Government Information Processing. *The Policy Studies Journal* 40(1): 1–19.
- Jones MD, Peterson HL, Pierce JJ, et al. (2016) A River Runs Through It: A Multiple Streams Meta-Review. *Policy Studies Journal* 44(1): 13–36.
- Jones T (2007) The Governance of Security: Pluralization, Privatization, and Polarization in Crime Control. 4th ed. In: Maguire M, Morgan R, and Reiner R (eds), *The Oxford Handbook of Criminology*, Oxford: Oxford University Press, pp. 842–865.
- Jütersonke O, Krause K and Muggah R (2007) Guns in the City: Urban Landscapes of Armed Violence. In: *Small Arms Survey 2007: Guns and the City*, Cambridge: Cambridge University Press, pp. 161–195.
- Kane RJ (2005) Compromised Police Legitimacy as a Predictor of Violent Crime in Structurally Disadvantaged Communities. *Criminology* 43(2): 469–498.
- Karp A (2007) Completing the Count: Civilian Firearms. In: Small Arms Survey (ed.), *Small Arms Survey 2007: Guns and the City*, New York: Cambridge University Press, pp. 39–71.
- Karp A (2011) Excedentes de armas en América del Sur. *Documentos de Trabajo de Small Arms Survey*, Documentos de Trabajo, Ginebra: Small Arms Survey 7.
- Karp A (2012) *Measurement and use of statistical data to analyze small arms in the Caribbean and Latin America*. Mexico City: Report to the UNODC-INEGI Center of Excellence.
- Katzman R, Avila S, Baraibar X, et al. (2004) La ciudad fragmentada: Respuesta de los sectores populares urbanos a las transformaciones del mercado y del territorio en Montevideo. Documento de Trabajo del IPES - Monitor Social del Uruguay, Montevideo, Uruguay: Universidad Católica del Uruguay.
- Kay A (2009) Understanding Policy Change as a Historical Problem. *Journal of Comparative Policy Analysis: Research and Practice* 11(1): 47–63.
- Kellerman AL, Ricara FP, Rushforth NB, et al. (1993) Gun Ownership as a Risk Factor for Homicide in the Home. *The New England Journal of Medicine* 329(15): 1084–1091.
- Kessler G (2009) *El sentimiento de inseguridad. Sociología del temor al delito*. Buenos Aires: Siglo Veintiuno.
- Khayesi M and Amekudzi AA (2011) Kingdon's multiple streams model and automobile dependence reversal path: the case of Curitiba, Brazil. *Journal of Transport Geography* 19(6): 1547–1552.

- Kingdon JW (1984) *Agendas, Alternatives, and Public Policy*. Colchester, UK: TBS The Book Service, Ltd.
- Kingdon JW (1995) *Agendas, Alternatives, and Public Policy*. 2nd ed. New York: HarperCollins College Publishers.
- Knaggård Å (2015) The Multiple Streams Framework and the problem broker. *European Journal of Political Research* 54(3): 450–465.
- Knaggård Å (2016) Framing the Problem: Knowledge-Brokers in the Multiple-Streams Framework. In: Zohlnhöfer R and Rüb FW (eds), *Decision-Making under Ambiguity and Time Constraints: Assessing the Multiple-Streams Framework*, Colchester, UK: ECPR Press, pp. 111–123.
- Koonings K (1999) Shadows of Violence and Political Transition in Brazil: from Military Rule to Democratic Governance. 1st ed. In: Koonings K and Kruijt D (eds), *Societies of Fear: The Legacy of Civil War, Violence and Terror in Latin America*, New York: Zed Books, pp. 197–234.
- Koonings K and Kruijt D (1999) Introduction: Violence and Fear in Latin America. In: Kruijt D and Koonings K (eds), *Societies of Fear: The Legacy of Civil War, Violence and Terror in Latin America*, New York: Zed Books, pp. 1–30.
- Koonings K and Kruijt D (2004) Armed actors, organized violence and state failure in Latin America: a survey of issues and arguments. In: Koonings K and Kruijt D (eds), *Armed actors: Organized violence and state failure in Latin America*, London: Zed Books, pp. 5–15.
- Krause K (2007) Small Arms and Light Weapons: Towards Global Public Policy. *Coping with Crisis - Working Paper Series*, International Peace Academy (March).
- Kuhlmann J (2016) Clear Enough To Be Proven Wrong? Assessing the Influence of the Concept of Bounded Rationality within the Multiple-Streams Framework. In: Zohlnhöfer R and Rüb FW (eds), *Decision-Making under Ambiguity and Time Constraints: Assessing the Multiple-Streams Framework*, Colchester, UK: ECPR Press, pp. 35–50.
- Lagos M and Dammert L (2012) *La Seguridad Ciudadana: El problema principal de América Latina*. Lima: Corporación Latinobarómetro.
- LAPOP (2014) The Political Culture of Democracy in the Americas , 2014: Democratic Governance across 10 Years of the Americas Barometer. USAID & Vanderbilt University. Available from: http://www.vanderbilt.edu/lapop/ab2014/AB2014_Comparative_Report_English_V3_revised_011315_W.pdf (accessed 1 January 2015).
- Lasswell HD (1956) *The Decision Process: Seven Categories of Functional Analysis*. College Park, MA: University of Maryland Press.
- Lasswell HD (1971) *A Pre-View of Policy Sciences*. New York: American Elsevier Publishing.
- Lauman EO and Knoke D (1987) *The Organisational State*. Madison: University of Wisconsin Press.
- Lea J and Stenson K (2007) Security, sovereignty and non-state governance ‘From Below’. *The Canadian Journal of Law and Society* 22(2): 9–28.
- Leckrone JW and Gollob J (2010) Telegrams to Washington: Using Memorials to Congress as a Measure of State Attention to the Federal Policy Agenda. *State and Local Government Review* 42(3): 235–245.
- Lertzman KP, Raynor J and Wilson J (1996) Change in the B.C. Forest Policy Sector: A Consideration of Sabatier’s Advocacy Coalition Framework. *Canadian Journal of Political Science* (XXIX): 111–133.

- Lewis O and Steinmo S (2010) Taking evolution seriously in political science. *Theory in Biosciences* 129(2–3): 235–245.
- Lijphart A (1971) Comparative Politics and the Comparative Method. *The American Political Science Review* 65(3): 682–693.
- Lijphart A (1975) The Comparable-Cases Strategy in Comparative Research. *Comparative Political Studies* 8(2): 158–177.
- Lima EC (2009) A campanha do referendo do desarmamento. Dissertação de Mestrado em Sociologia para obtenção do título de Mestre, Instituto de Filosofia e Ciências Humanas, Universidade Federal do Rio Grande do Sul.
- Lindblom CE. (1959) The Science of ‘Muddling Through’. *Public Administration Review* 19(2): 79–88.
- Lippmann W (1965) *Public Opinion*. New York: Free Press.
- Lissovsky M (2006) A campanha na tevê e a desventura do Sim que era Não. In: *Referendo do sim ao não: Uma experiência da democracia brasileira - Comunicações nº 62*, Rio de Janeiro, Brazil: Instituto de Estudos da Religião ISER, pp. 27–42.
- Loader I and Walker N (2001) Policing as a Public Good: Reconstituting the Connections between Policing and the State. *Theoretical Criminology* 5(1): 9–35.
- Loader I and Walker N (2004) State of Denial? Rethinking the Governance of Security. *Punishment & Society* 6(2): 221–228.
- Loader I and Walker N (2006) Necessary virtues: the legitimate place of the state in the production of security. In: Wood J and Dupont B (eds), *Democracy, Society and the Governance of Security*, New York: Cambridge University Press, pp. 165–195.
- Lodge M (2007) Comparative Public Policy. In: Fischer F, Miller G, and Sidney M (eds), *Handbook of Public Policy Analysis: Theory, Politics, and Methods*, Boca Raton, FL: CRC Press, pp. 273–288.
- López A and Palummo J (2013) *Delincuencia juvenil en la ciudad de Montevideo*. Observatorio del Sistema Judicial, Fundación Justicia y Derecho.
- Lott JR (1998) *More Guns, Less Crime: Understanding Crime and Gun Control Laws*. Chicago: University of Chicago Press.
- Lourenço L (2015) O Estatuto do Desarmamento sob ameaça: Projeto que deixa a legislação brasileira de controle de armas mais permissiva está pronto para ser votado no plenário da Câmara dos Deputados. *Agência Brasil*. Available from: <http://www.ebc.com.br/estatutododesarmamento> (accessed 12 December 2016).
- Lowery D, Gray V and Baumgartner FR (2011) Policy Attention in State and Nation: Is Anyone Listening to the Laboratories of Democracy? *Publius: The Journal of Federalism* 41(2): 286–310.
- Lucas P (2008) Disarming Brazil: Lessons and Challenges. *NACLA Report on the Americas* 41(2): 27–31.
- Ludwig J and Cook PJ (eds) (2003) *Evaluating Gun Policy: Effects on Crime and Violence*. Washington, D.C.: Brookings Institution Press.
- Maciel G and Ventura O (2013) *Una aproximación al fenómeno de la violencia letal en Uruguay*. Serie de Reportes Periódicos, Montevideo, Uruguay: Observatorio Fundapro de Seguridad.
- Magalhães Araújo P and Santana L (2006) O referendo sobre o comércio de armas: Processo decisório, representação política e participação popular na democracia brasileira. In: Inácio M, Novais R, and Anastasia F (eds), *Democracia e referendo no Brasil*, Belo Horizonte,

- Brasil: UFMG, pp. 74–120.
- Majone G (2006) Agenda Setting. In: Moran M, Rein M, and Goodin RE (eds), *The Oxford Handbook of Public Policy*, New York: Oxford University Press, pp. 228–250.
- Mallo S and Viscardi N (eds) (2010) *Seguridad y miedos. Qué ciudadanía para los jóvenes*. Montevideo: Universidad de la República.
- March JG and Olsen JP (1976) *Ambiguity and Choice in Organizations*. Bergen, NO: Universitetsforlaget.
- March JG and Olsen JP (1984) The New Institutionalism: Organizational Factors in Political Life. *The American Political Science Review* 78(3): 734–749.
- Marier P and Mayer JF (2007) Welfare Retrenchment as Social Justice: Pension Reform in Mexico. *Journal of Social Policy* 36(4): 585–604.
- Martínez M (2014) Armados pero pacíficos. *El País (España)*, Madrid, 10th March. Available from: http://internacional.elpais.com/internacional/2014/03/10/actualidad/1394468853_167261.html (accessed 2 April 2014).
- Maxwell JA (2013) *Qualitative Research Design: An Interactive Approach*. Thousand Oaks, CA: SAGE Publications.
- Mazzei J (2009) *Death Squads or Self-Defense Forces?: How Paramilitary Groups Emerge and Challenge Democracy in Latin America*. *Hispanic American Historical Review*, Chapel Hill: The University of North Carolina Press.
- McAdam D (1988) *Freedom Summer*. New York: Oxford University Press.
- McCombs ME and Shaw DL (1972) The Agenda-Setting Function of Mass Media. *The Public Opinion Quarterly* 36(2): 176–187.
- McDowall D (1995) Firearms and Self-Defense. *The ANNALS of the American Academy of Political and Social Science* (539): 130–140.
- McNabb DE (2009) *Research Methods for Political Science: Quantitative and Qualitative Methods*. New York: M.E. Sharpe.
- Meier KJ (2009) Policy theory, policy theory everywhere: Ravings of a deranged policy scholar. *Policy Studies Journal* 37(1): 5–11.
- Merton RK (1938) Social Structure and Anomie. *American Sociological Review* 3(5): 672–682.
- Miliband R (1969) *The State in Capitalist Society*. London: Basic Books.
- Mill JS (1843) *System of Logic*. 8th ed. London: Longmans, Green.
- Montambeault F and Ducatenzeiler G (2014) Lula's Brazil and Beyond: An Introduction. *Journal of Politics in Latin America* 6(3): 3–14.
- Morás LE (2008) La seguridad en tiempos de vecino alerta y ciudadano firme. In: Paternain R and Sanseviero R (eds), *Violencia, inseguridad y miedos en Uruguay. ¿Qué tienen para decir las ciencias sociales?*, Montevideo: Friedrich Ebert Stiftung FESUR, pp. 71–79.
- Morás LE (2010) Tranquilizar y proteger: El miedo ante el asedio de los jóvenes violentos y el abismo de las instituciones. In: Mallo S and Viscardi N (eds), *Seguridad y miedos. Qué ciudadanía para los jóvenes*, Montevideo: Universidad de la República, pp. 89–106.
- Morás LE and Trujillo H (2015) Armas de fuego en Uruguay. Una revisión exploratoria a partir de datos de la encuesta de Acceso a la Justicia, 2013. *Revista de la Facultad de Derecho, Udelar* (38): 183–212.
- Moreano H, Donoso C, Pontón D, et al. (2006) La situación de armas de pequeño calibre y la población civil de Ecuador. *Ciudad Segura: Programa Estudios de la Ciudad* 2: 4–11.

- Mosteiro Vaselli M (2016) La violencia con armas de fuego en niños, niñas y adolescentes: víctimas y ofensores. In: *Menos armas, más seguridad: Aportes para la comprensión de la problemática de las armas de fuego en el Uruguay*, Montevideo, Uruguay: IELSUR, pp. 117–152.
- Mota MAR (2006) O referendo de outubro/2005: das conquistas plurais à derrota singular. In: *Referendo do sim ao não: Uma experiência da democracia brasileira - Comunicações nº 62*, Instituto de Estudos da Religião ISER, pp. 6–18.
- Mucciaroni G (2013) The garbage can model and the study of the policy-making process. In: Araral Jr. E, Fritzen S, Howlett M, et al. (eds), *Routledge Handbook of Public Policy*, New York: Routledge, pp. 320–328.
- Muggah R and Szabo de Carvalho I (2017) Latin America's Murder Epidemic. *Foreign Affairs*. Available from: <https://www.foreignaffairs.com/articles/central-america-caribbean/2017-03-22/latin-americas-murder-epidemic> (accessed 1 May 2015).
- Mujica J (2012) *Armas pequeñas en el crimen urbano: Delitos, acceso y mercados ilegales de armas de fuego en Lima*. Lima, Perú: CLACSO.
- Müller M-M (2010) Private Security and the State in Latin America: the Case of Mexico City. *Brazilian Political Science Review* 4(1): 131–154.
- Murray J, Cerqueira DR de C and Kahn T (2013) Crime and violence in Brazil: Systematic review of time trends, prevalence rates and risk factors. *Aggression and Violent Behavior*, The Authors 18(5): 471–483.
- NACLA (2011) Introduction: Lula's Legacy in Brazil. *NACLA Report on the Americas* 44(2): 11–12.
- Navarro C (2008) El estudio de las políticas públicas. *RJUAM*, Madrid 17: 331–355.
- Neustadt RW (1960) *Presidential Power*. New York: John Wiley and Sons.
- NEV-USP (Núcleo de Estudos da Violência) (1997) Conference 'São Paulo sem medo'. São Paulo, Brasil: Universidade de São Paulo. Available from: <http://nevusp.org/blog/1997/03/06/seminario-sao-paulo-sem-medo> (accessed 1 June 2017).
- Nivette A and Eisner M (2013) Do legitimate polities have fewer homicides? A cross-national analysis. *Homicide Studies* 17(3): 3–26.
- Nowlin MC (2011) Theories of the Policy Process: State of the Research and Emerging Trends. *Policy Studies Journal* 39(SUPPL. 1): 41–60.
- OAS (Organization of American States) (1997) Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials (CIFTA).
- OAS (Organization of American States) (1998) Model Regulations for the Control of the International Movement of Firearms, their Parts and Components and Ammunition.
- OAS (Organization of American States) (2008) *La Seguridad Pública en las Américas: Retos y Oportunidades*. (OAS Official Records Series), Washington, D.C.: OAS.
- OAS (Organization of American States) (2012) *Report on Citizen Security in the Americas: Official Statistical Information on Citizen Security provided by the OAS Member States*. Washington, D.C.: OAS Hemispheric Security Observatory.
- Olsen JP (1972) Public Policy-making and theories of organizational choice. *Scandinavian Political Studies Yearbook* 7: 45–62.
- Osborne D and Gaebler T (1992) *Reinventing Government: How the Entrepreneurial Spirit is Transforming the Public Sector*. New York: Addison-Wesley.
- Ostrom E (2007) Institutional Rational Choice: An Assessment of the Institutional Analysis and

- Development Framework. In: Sabatier PA (ed.), *Theories of The Policy Process*, Cambridge: Westview Press, pp. 21–64.
- Otamendi A (2011) Las evaluaciones de impacto de los planes de recolección de armas en Brasil: Alcances y limitaciones. *Urvio, Revista Latinoamericana de Seguridad Ciudadana* (10): 106–119.
- Paim J, Travassos C, Almeida C, et al. (2011) The Brazilian health system: History, advances, and challenges. *The Lancet*, Elsevier Ltd 377(9779): 1778–1797.
- Pandolfi J (2016) Impacto de las armas de fuego en la violencia de género. In: *Menos armas, más seguridad: Aportes para la comprensión de la problemática de las armas de fuego en el Uruguay*², Montevideo, Uruguay: IELSUR, pp. 155–197.
- Parker S (2011) Balancing Act: Regulation of Civilian Firearm Possession. In: Small Arms Survey (ed.), *Small Arms Survey 2011: States of Security*, Cambridge: Cambridge University Press, pp. 261–309.
- Parker S and Wilson M (2012) *A Diplomat's Guide to the UN Small Arms Process*. Geneva: Small Arms Survey.
- Parker S and Wilson M (2016) *A Guide to the UN Small Arms Process: 2016 Update*. Geneva, Switzerland: Small Arms Survey & Graduate Institute of International and Development Studies.
- Paternain R (2008) Los espacios regionales del delito en Uruguay. In: Paternain R and Sanseviero R (eds), *Violencia, inseguridad y miedos en Uruguay. ¿Qué tienen para decir las ciencias sociales?*, Montevideo: Friedrich Ebert Stiftung FESUR, pp. 19–33.
- Paternain R (2012) La inseguridad en Uruguay: Genealogía básica de un sentimiento. In: Betancourt Z (ed.), *La inseguridad y la seguridad ciudadana en América Latina*, Buenos Aires: CLACSO.
- Paternain R (2013) *Ya no podemos vivir así*. Montevideo: Trilce.
- Paternain R (2014) Políticas de seguridad en el Uruguay: desafíos para los gobiernos de izquierda. *Cuestiones de Sociología* 10: 1–13.
- Paternain R and Rico Á (eds) (2012) *Uruguay: Inseguridad, delito y Estado*. Montevideo, Uruguay: Trilce.
- Paternain R and Sanseviero R (eds) (2008) *Violencia, inseguridad y miedos en Uruguay. ¿Qué tienen para decir las ciencias sociales?* Montevideo: Friedrich Ebert Stiftung FESUR.
- Pedernera L (2016) Prólogo II. In: *Menos armas, más seguridad: Aportes para la comprensión de la problemática de las armas de fuego en el Uruguay*, Montevideo, Uruguay: IELSUR, pp. 15–17.
- Pekny AC, Langeani B, Angeli F, et al. (2015) *Controle de armas no Brasil: O caminho a seguir*. Sao Paulo: Friedrich Ebert Stiftung (FES) Brasil.
- Peralta J (2014) El Ejército quiere limitar la cantidad de armas que pueden comprar libremente los particulares. *Búsqueda*, Montevideo, Uruguay. Available from: <http://www.búsqueda.com.uy/nota/el-ejercito-quiere-limitar-la-cantidad-de-armas-que-pueden-comprar-libremente-los-particulares> (accessed 20 March 2017).
- Peralta J and Draper G (2016) El poder de fuego de los delincuentes aumenta mientras crece la cantidad de importación y tenencia de armas en manos de privados. *Búsqueda*, Montevideo, Uruguay. Available from: <http://www.búsqueda.com.uy/nota/el-poder-de-fuego-de-los-delincuentes-aumenta-mientras-crece-la-cantidad-de-importacion-y> (accessed 20 March 2017).
- Peres MFT (2004) *Violência por armas de fogo no Brasil - Relatório Nacional*. São Paulo, Brasil: Núcleo de Estudos da Violência, Universidade de São Paulo.

- Peters G (2005a) *Institutional Theory in Political Science*. 2nd ed. Hampshire: Continuum.
- Peters G (2005b) Policy Instruments and Policy Capacity. In: Painter M and Pierre J (eds), *Challenges to State Policy Capacity: Global Trends and Comparative Perspectives*, Basingstoke: Palgrave Macmillan, pp. 73–91.
- Phebo L (2005) Impacto da arma de fogo na saúde da população no Brasil. In: César Fernandes R (ed.), *Brasil: as armas e as vítimas*, Rio de Janeiro: 7Letras, pp. 9–36.
- Pierre J and Peters G (2005) *Governing Complex Societies: Trajectories and Scenarios*. Basingstoke: Palgrave Macmillan.
- Pierson P (2000) Increasing Returns, Path Dependency, and the Study of Politics. *The American Political Science Review* 94(2): 251–267.
- Plaza i Font JP and Régis D (2006) Chaos Theory and its Application in Political Science. Fukuoka, Japan: IPSA - AISP World Congress, Session: Beyond Linearity: Research Methods and Complex Social Phenomena. Available from: <http://hdl.handle.net/2078.1/176425> (accessed 9 April 2016).
- PNUD (Programa de las Naciones Unidas para el Desarrollo) (2013) *Informe Regional de Desarrollo Humano 2013-2014. Seguridad Ciudadana con rostro humano: diagnóstico y propuestas para América Latina*. Panamá: Programa de las Naciones Unidas para el Desarrollo (PNUD).
- Power TJ and Cyr JM (2009) Mapping political legitimacy in Latin America. *International Social Science Journal*, UNESCO 60(196): 253–272.
- Prieto M (1984) Un asunto estrictamente entre caballeros. *El Pais (Spain)*, Madrid, Spain, 25th March. Available from: http://elpais.com/diario/1984/03/25/sociedad/449017210_850215.html (accessed 15 April 2017).
- Przeworski A and Teune H (1970) *The Logic of Comparative Social Inquiry*. New York: John Wiley & Sons.
- Quintela F and Barbosa B (2015) *Mentiram para mim sobre o desarmamento*. Campinas, SP: Vide Editorial.
- Radford J and Russell DEH (1992) *Femicide: The Politics of Woman Killing*. New York: Twayne Publishers.
- Rangel Bandeira A (2012) *Armas pequeñas y campañas de desarme. Matar los mitos y salvar las vidas*. Programa de Cooperación en Seguridad Regional (ed.), Programa de Cooperación en Seguridad Regional, Friedrich Ebert Stiftung.
- Rangel Bandeira A, Dreyfus P and De Sousa Nascimento M (2007) El comercio ilícito de armas en Brasil. In: Breckenridge SS (ed.), *Armas pequeñas y livianas: Una amenaza a la seguridad hemisférica*, San José, C.R.: FLACSO - Secretaría General, pp. 127–146.
- Real-Dato J (2009) Mechanisms of Policy Change: A Proposal for a Synthetic Explanatory Framework. *Journal of Comparative Policy Analysis* 11(1): 117–143.
- RENAR (2014) *Propuestas para el desarme: Desarmando mitos construyendo argumentos*. Buenos Aires. Available from: http://www.renar.gov.ar/pdf/desarme_web.pdf (accessed 13 November 2014).
- Reporters Without Borders (2017) 2016 World Press Freedom Index. Available from: <https://rsf.org/en/ranking> (accessed 20 March 2017).
- República.com.uy (2014) Feldman : 5 años de un caso que conmovió a la opinión pública. *República.com.uy*, Montevideo, Uruguay, 31st October. Available from: <http://www.republica.com.uy/feldman-5-anos-de-un-caso-que-conmovio-a-la-opinion-publica/486418/> (accessed 10 April 2017).

- Restrepo D (1994) Aspectos Espaciales De La Reestructuración: Descentralización Y Apertura. *Revista EURE XXI*: 93–109.
- Rhodes R a. W (1996) The New Governance: Governing without Government. *Political Studies* 44(4): 652–667.
- Rhodes R a. W (1997) *Understanding Governance: Policy Networks, Governance, Reflexivity and Accountability*. Buckingham: Open University Press.
- Richard A. C and Ohlin LE (1960) *Delinquency and Opportunity: A Theory of Delinquent Gangs*. Glencoe, IL: Free Press.
- Riker W (ed.) (1993) *Agenda Formation*. Ann Arbor, MI: The University of Michigan Press.
- Rittel HWJ and Webber MM (1973) Dilemmas in a General Theory of Planning. *Policy Sciences* 4: 155–169.
- Rivero PS (2005) O Mercado Ilegal de Armas de Fogo na Cidade do Rio de Janeiro. In: *Brasil: as armas e as vítimas*, Rio de Janeiro: 7Letras, pp. 197–267.
- Rocha CC (2012) La ciencia política en Uruguay (1982-2009): Temas, teorías y metodologías. *Revista Uruguaya de Ciencia Política* 21(2): 97–127.
- Roche C and Hewett A (2013) The End of the Golden Age of International NGOs? Paper Presented at the ACFID/University Linkage Conference 21-22 November 2013. Available from: <https://practiceforchange.files.wordpress.com/2014/11/the-end-of-the-golden-age-of-ngos.pdf> (accessed 28 January 2017).
- Rocheffort DW and Cobb RW (eds) (1994) *The Politics of Problem Definition: Shaping the Policy Agenda*. Lawrence, KS: University Press of Kansas.
- Rochon TR (1998) *Culture Moves*. Princeton, NJ: Princeton University Press.
- Rodriguez A and Winchester L (1996) Cities, Democracy and Governance in Latin America. *Revista Internacional de Ciencias Sociales (UNESCO) Habitat II*(147): 73–83.
- Rodríguez S and Nalbarte L (2008) Caracterización de la evolución del número de personas privadas de libertad. In: Paternain R and Sanseviero R (eds), *Violencia, inseguridad y miedos en Uruguay. ¿Qué tienen para decir las ciencias sociales?*, Montevideo, Uruguay: Friedrich Ebert Stiftung FESUR, pp. 55–68.
- Rose N and Miller P (2010) Political power beyond the State: problematics of government. 1992. *The British journal of sociology* 61 Suppl 1: 271–303.
- Ruiz Olabuenaga JI (2003) *Metodología de la investigación cualitativa*. Bilbao: Universidad de Deusto.
- Sabatier PA (1988) An advocacy coalition framework of policy change and the role of policy-oriented learning therein. *Policy Sciences* 21: 129–168.
- Sabatier PA (2007a) Fostering the Development of Policy Theory. 2nd ed. In: Sabatier PA (ed.), *Theories of The Policy Process*, Boulder, CO: Westview Press, pp. 321–336.
- Sabatier PA (2007b) The Need for Better Theories. 2nd ed. In: Sabatier PA (ed.), *Theories of The Policy Process*, Boulder, CO: Westview Press, pp. 3–17.
- Sabatier PA and Jenkins-Smith HC (1993) *Policy Change and Learning: An Advocacy Coalition Approach*. Theoretical Lenses on Public Policy Series, Boulder, CO: Westview Press.
- Sabatier PA and Jenkins-Smith HC (1999) The Advocacy Coalition Framework: An Assessment. In: Sabatier PA (ed.), *Theories of The Policy Process*, Theoretical Lenses on Public Policy Series, Boulder, CO: Westview Press, pp. 117–166.
- Sabatier PA and Weible CM (2007) The Advocacy Coalition Framework: Innovations and

- Clarifications. 2nd ed. In: Sabatier PA (ed.), *Theories of The Policy Process*, Boulder, CO: Westview Press, pp. 189–220.
- Sadovnik AR (2007) Qualitative Research and Public Policy. In: Fischer B, Miller GJ, and Sidney MS (eds), *Handbook of Public Policy Analysis: Theory, Politics, and Methods*, Boca Raton, FL: CRC Press, pp. 417–427.
- Sáenz Breckenridge S (ed.) (2007) *Armas pequeñas y livianas: Una amenaza a la seguridad hemisférica*. San José, C.R.: FLACSO - Secretaría General.
- Sætren H (2016) Lost in Translation: Re-conceptualising the Multiple-Streams Framework Back to its Source of Inspiration. In: Zohlnhöfer R and Rüb FW (eds), *Decision-Making under Ambiguity and Time Constraints: Assessing the Multiple-Streams Framework*, Colchester, UK: ECPR Press, pp. 21–33.
- Salamano I (2016) Armas de fuego en el Uruguay: Cantidad, evolución en el acceso y su impacto en la vida cotidiana. In: *Menos armas, más seguridad: Aportes para la comprensión de la problemática de las armas de fuego en el Uruguay*, Montevideo, Uruguay: IELSUR, pp. 25–67.
- Salamano I, Pandolfi J, Vázquez M, et al. (2013) *Hacia un Plan Nacional de Desarme Civil*. IELSUR. Available from: <http://ielsurdesarme.org/wp-content/uploads/2013/12/Armas-de-Fuego-Artículo-CIEJ-1.pdf> (accessed 31 January 2014).
- Sanjurjo D (2016a) *La influencia de la posesión civil de armas de fuego en las tasas de homicidio de América Latina y el Caribe. Documento de trabajo 1/2016*, Real Instituto Elcano.
- Sanjurjo D (2016b) The role of defensive firearm use in the governance of security in Latin America. *Theoretical Criminology* (1): 1–18.
- Sanseviero R (2007) Institucionalidad Pública en el ámbito de la Seguridad Ciudadana; entre las intenciones y las tensiones en Uruguay. In: *Seguridad pública en los países del Cono Sur: Los desafíos institucionales*, Santiago, Chile: Friedrich Ebert Stiftung (FES), pp. 93–113.
- Santaella-Tenorio J, Cerdá M, Villaveces A, et al. (2016) What Do We Know about the Association between Firearm Legislation and Firearm-Related Injuries? *Epidemiologic Reviews* 38(1): 140–157.
- Santillán A (2008) Linchamientos urbanos. ‘Ajusticiamiento popular’ en tiempos de la seguridad ciudadana. *Iconos. Revista de Ciencias Sociales* (31): 57–69.
- Schattschneider EE (1960) *The Semi-Sovereign People*. New York: Holt, Rinehart and Winston.
- Schlager E (2007) A Comparison of Frameworks, Theories and Models of the Policy Process. 2nd ed. In: Sabatier PA (ed.), *Theories of The Policy Process*, Boulder, CO: Westview Press, pp. 293–319.
- Schlager E (2016) Special Issue: The Multiple Streams Approach: Contributions and Future Directions. *Policy Studies Journal* 44(1).
- Schroeder M (2013) Captured and Counted: Illicit Weapons in Mexico and the Philippines. In: Small Arms Survey (ed.), *Small Arms Survey 2013: Everyday Dangers*, New York: Cambridge University Press, pp. 283–317.
- Seawright J and Gerring J (2008) Case Selection Techniques in Case Study Research: A Menu of Qualitative and Quantitative Options. *Political Research Quarterly* (1975): 294–308.
- Shearing C (2005) Nodal Security. *Police Quarterly* 8(1): 57–63.
- Shearing C (2006) Reflections on the refusal to acknowledge private governments. In: Wood J and Dupont B (eds), *Democracy, Society and the Governance of Security*, New York: Cambridge University Press, pp. 11–32.

- Simon HA (1957) *Models of Man: Social and Rational*. New York: John Wiley & Sons.
- Simon J (2002) Guns, Crime, and Governance: A comment on Robert Weisberg's Frankel lecture. *Houston Law Review* 39: 133–148.
- Small Arms Survey (2014) *Arms Trade Treaty: Model Law*. Geneva, Switzerland: Small Arms Survey & New Zealand Government.
- Smith DA and Uchida CD (1988) The Social Organization of Self-Help: A Study of Defensive Weapon Ownership. *American Sociological Review* 53(1): 94–102.
- Soares LE (2007) The National Public Security Policy: Background, dilemmas and perspectives. *Estudos Avançados* 21(61): 77–97.
- Soares RR and Naritomi J (2010) Understanding High Crime Rates in Latin America: The Role of Social and Policy Factors. In: Di Tella R, Edwards S, and Schargrodsky E (eds), *The Economics of Crime: Lessons for and from Latin America*, Chicago: University of Chicago Press, pp. 19–55.
- Sofaer S (1999) Qualitative Methods: What Are They and Why Use Them? *HSR Health Services Research* 35(5): 1101–1118.
- Sorj B (2006) Internet, espaço público e marketing político: Entre a promoção da comunicação e o solipsismo-moralista. In: *Referendo do sim ao não: Uma experiência da democracia brasileira - Comunicações nº 62*, Rio de Janeiro, Brazil: Instituto de Estudos da Religião ISER, pp. 19–26.
- Sousa Braga M do S, Floriano Ribeiro P and Do Amaral OE (2016) El sistema de partidos en Brasil: estabilidad e institucionalización (1982-2014). In: Freidenberg F (ed.), *Los Sistemas de Partidos en América Latina 1978-2015: Cono Sur y Países Andinos - Tomo 2*, Ciudad de México: Universidad Nacional Autónoma de México, pp. 69–133.
- Spano R and Bolland J (2010) Disentangling the Effects of Violent Victimization, Violent Behavior, and Gun Carrying for Minority Inner-City Youth Living in Extreme Poverty. *Crime & Delinquency* 59(2): 191–213.
- Spohr F (2016) Path-Departing Labour-Market Reforms in the United Kingdom and Sweden: An Analysis Combining the Multiple-Streams Framework and Historical Institutionalism. In: Zohlnhöfer R and Rüb FW (eds), *Decision-Making under Ambiguity and Time Constraints: Assessing the Multiple-Streams Framework*, Colchester, UK: ECPR Press, pp. 251–269.
- Steinmo S (1996) *Taxation and Democracy: Swedish, British and American Approaches to Financing the Modern State*. Yale University Press.
- Stenson K (2008) Governing the Local: Sovereignty, Social Governance and Community Safety. *Social Work and Society International Online Journal* 6(1).
- Stiller S (2010) *Ideational Leadership in German Welfare State Reform: How Politicians and Policy Ideas Transform Resilient Institutions*. Amsterdam: Amsterdam University Press.
- Stone D (2011) *Policy Paradox: The Art of Political Decision Making*. 3rd ed. New York: W. W. Norton & Company.
- Stone DA (1989) Causal Stories and the Formation of Policy Agendas. *Political Science Quarterly* 104(2): 281–300.
- SUCAMEC (2014) *Armas incautadas - Reporte 2013*. Pueblo Libre: Punto & Grafia S.A.C.
- Tankebe J (2013) Viewing Things Differently: The Dimensions of Public Perceptions of Police Legitimacy. *Criminology* 51(1): 103–135.
- Tenenbaum Ewig G (2009) *Armas de fuego e identidad política: La opinión del Uruguay urbano II*. Montevideo, Uruguay: ALUDEC.

- Tierney WG and Clemens RF (2011) Qualitative Research and Public Policy: The Challenges of Relevance and Trustworthiness. Volume 26. In: Smart JC and Paulsen MB (eds), *Higher Education: Handbook of Theory and Research*, Springer, pp. 57–83.
- Transparency International (2017) *Corruption Perceptions Index 2016*. Berlin: Transparency International.
- True JL, Jones BD and Baumgartner FR (2007) Punctuated-Equilibrium Theory: Explaining Stability and Change in Public Policymaking. 2nd ed. In: Sabatier PA (ed.), *Theories of The Policy Process*, Boulder, CO: Westview Press, pp. 155–187.
- Truman D (1951) *The Governmental Process*,. New York: Alfred Knopf.
- Tyler TR (1990) *Why People Obey the Law*. New Haven, CT: Yale University Press.
- Tyler TR (2004) Enhancing Police Legitimacy. *The Annals of the American Academy of Political and Social Science* 593(1): 84–99.
- UN CASA (2012) *Glossary of terms, definitions and abbreviations*. ISACS 01.20:2014(E)V1.1.
- UNDP (United National Development Program) (2012) *Caribbean Human Development Report 2012: Human Development and the Shift to Better Citizen Security*.
- UNDP (United National Development Program) (2015) *Human Development Report 2015: Work for Human Development*. New York: United Nations Development Program.
- UNGA (United Nations General Assembly) (1995) *Supplement to an Agenda for Peace: Position Paper of the Secretary-General on the Occasion of the Fiftieth Anniversary of the United Nations*. A/50/60–S/1995/1 of 3 January 1995.
- UNGA (United Nations General Assembly) (1997) *Report of the Panel of Governmental Experts on Small Arms*. A/52/298 of 27 August 1997.
- Ungar M (2007) The Privatization of Citizen Security in Latin America: From Elite Guards to Neighborhood Vigilantes. *Social Justice* 34(3/4): 20–37.
- United Nations Treaty Collection (2016a) Status of Treaties: Arms Trade Treaty: Chapter XXVI-8 - Disarmament. Available from: https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXVI-8&chapter=26&lang=en (accessed 2 January 2016).
- United Nations Treaty Collection (2016b) Status of Treaties: Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime: Chapter XXVIII-12c - Penal Matters. *United Nations Treaty Collection*. Available from: https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12-c&chapter=18&lang=en (accessed 2 January 2016).
- UNODC (United Nations Office on Drugs and Crime) (2011) *Global Study on Homicide 2011*. Vienna: United Nations Publications.
- UNODC (United Nations Office on Drugs and Crime) (2012) *Delincuencia Organizada Transnacional en Centroamérica y El Caribe: Una Evaluación de las Amenazas*. Viena: United Nations Publications.
- UNODC (United Nations Office on Drugs and Crime) (2014) *Global Study on Homicide 2013*. Vienna: United Nations Publications.
- UNODC (United Nations Office on Drugs and Crime) (2015) *Study on Firearms 2015: A study on the transnational nature of and routes and modus operandi used in trafficking in firearm*. Vienna: United Nations Office on Drugs and Crime (UNODC).
- UNODC (United Nations Office on Drugs and Crime) (2017) UNODC Statistics Online.

- Available from: <https://data.unodc.org/> (accessed 29 May 2017).
- URUGUAY - Min. Interior (2014) Ley de Tenencia Responsable de Armas. Available from: <https://www.minterior.gub.uy/index.php/documentos-y-legislacion/leyes/3576-armas-tenencia-responsable> (accessed 20 March 2017).
- URUGUAY - Min. Interior (2016) *Informe anual sobre violencia y criminalidad en todo el país: Año 2016*. Montevideo, Uruguay: Observatorio Nacional sobre Violencia y Criminalidad. Available from: https://www.minterior.gub.uy/observatorio/images/pdf/homicidiosyrapinas_2016.pdf (accessed 20 March 2017).
- URUGUAY - PR (2017) 2016 cerró con descenso en homicidios de 9,6 % y 3,7 % en rapiñas. *Presidencia de la República*. Available from: <https://www.presidencia.gub.uy/comunicacion/comunicacionnoticias/datos-ministerio-interior-homicidios-rapinas-2016> (accessed 20 March 2017).
- USA: IOM (Institute of Medicine), Council) and USA: NRC (National Research Council) (2013) *Priorities for research to reduce the threat of firearm-related violence*. Washington, D.C.: The National Academies Press.
- USA: NRC (National Research Council) (2005) *Firearms and Violence. A Critical Review*. Washington, D.C.: The National Academies Press. Available from: http://www.nap.edu/catalog.php?record_id=10881 (accessed 4 March 2014).
- Van Reenen P (2004) Policing extensions in Latin America. In: Koonings K and Kruijt D (eds), *Armed actors: Organized violence and state failure in Latin America*, London: Zed Books, pp. 33–51.
- Vilas CM (2007) Linchamientos y conflicto político en los andes. *Folios Segunda ép*(25): 3–26.
- Vital da Cunha C (2006) O referendo: propaganda televisiva e percepções da população. In: *Referendo do sim ao não: Uma experiência da democracia brasileira - Comunicações n° 62*, Rio de Janeiro, Brazil: Instituto de Estudos da Religião ISER, pp. 49–60.
- Wacquant L (2001) The penalisation of poverty and the rise of neo-liberalism. *European Journal on Criminal Policy and Research* 9: 401–412.
- Wacquant L (2003) Toward a dictatorship over the poor?: Notes on the penalization of poverty in Brazil. *Punishment & Society* 5(2): 197–205.
- Waiselfisz JJ (2005) *Mortes matadas por armas de fogo no Brasil 1979-2003*. Brasília, D.F.: UNESCO.
- Waiselfisz JJ (2015a) *Mapa da violência 2015: Mortes matadas por armas de fogo*. Brasília, D.F.: FLACSO Brasil, UNESCO & Governo Federal do Brasil.
- Waiselfisz JJ (2015b) *Mapa da violência 2016: Homicídios por armas de fogo no Brasil*. FLACSO Brasil.
- Walmsley R (2016) *World Prison Population List, 11th edition*. London: Institute for Criminal Policy Research.
- Weible CM and Schlager E (2016) The Multiple Streams Approach at the Theoretical and Empirical Crossroads: An Introduction to a Special Issue. *Policy Studies Journal* 44(1): 5–12.
- Weible CM, Sabatier PA, Jenkins-Smith HC, et al. (2011) A quarter century of the advocacy coalition framework: An introduction to the special issue. *Policy Studies Journal* 39(3): 349–360.
- Weimer DL (2008) Theories of and in the Policy Process. 36(4): 489–495.
- Weimer DL and Vining AR (2010) *Policy Analysis: Concepts and Practice*. 5th ed. Pearson.

- WHO (World Health Organization) (2009) *Violence Prevention: The Evidence. Guns, Knives and Pesticides: Reducing Access to Lethal Means*. World Health Organization.
- WHO (World Health Organization) (2016) *World Health Statistics 2016: Monitoring Health for the SDGs, sustainable development goals*. Geneva, Switzerland: World Health Organization.
- Widmer M and Pavese I (2016) Firearms and Violent Deaths. *Small Arms Survey - Research Notes* 60(October): 1–8.
- Wildavsky A (1964) *The Politics of the Budgetary Process*. Toronto: Little, Brown.
- Wilson M (2014) Instruments of Violence: Weapons Control Efforts to Reduce and Prevent Armed Violence. *Geneva Declaration Secretariat - Policy Paper 3* (April 2014).
- Wolfe M, Jones BD and Baumgartner FR (2013) A Failure to Communicate: Agenda Setting in Media and Policy Studies. *Political Communication* 30(2): 175–192.
- Wood J and Dupont B (eds) (2006) *Democracy, Society and the Governance of Security*. New York: Cambridge University Press.
- World Bank (2006) *Crime, Violence and Economic Development in Brazil: Elements for Effective Public Policy*. World Bank.
- World Bank (2011) *Crime and Violence in Central America: A Development Challenge - Main Report. Document of the World Bank*.
- World Bank (2017) World Bank Database. Available from: <http://data.worldbank.org/> (accessed 1 January 2016).
- World Justice Project (2016) *Rule of Law Index 2016*. Washington, D.C.: World Justice Project (WJP).
- Yanow D (2007) Qualitative-Interpretive Methods in Policy Research. In: Fischer F, Miller GJ, and Sidney MS (eds), *Handbook of Public Policy Analysis: Theory, Politics, and Methods*, Boca Raton, FL: CRC Press, pp. 405–415.
- Yin RK (1994) *Case Study Research: Design and Methods*. 2nd ed. Thousand Oaks, CA: SAGE Publications.
- Yin RK (2011) *Qualitative Research from Start to Finish*. New York: The Guilford Press.
- Zahariadis N (1992) To sell or not to sell? Telecommunications policy in Britain and France. *Journal of Public Policy* 12(4): 355–376.
- Zahariadis N (1995) *Markets, States and Public Policy. Privatization in Britain and France*. Ann Arbor, MI: University of Michigan Press.
- Zahariadis N (1996) Selling British Rail. An idea whose time has come? *Comparative Political Studies* 29(4): 400–422.
- Zahariadis N (2003) *Ambiguity & Choice in Public Policy: Political decision making in modern democracies*. Washington, D.C.: Georgetown University Press.
- Zahariadis N (2005) *Essence of Political Manipulation: Emotion, institutions, and Greek foreign policy*. New York: Peter Lang.
- Zahariadis N (2007) The Multiple Streams Framework: Structure, Limitations, Prospects. 2nd ed. In: Sabatier PA (ed.), *Theories of The Policy Process*, Boulder, CO: Westview Press, pp. 65–92.
- Zahariadis N (2008) Ambiguity and choice in European public policy. *Journal of European Public Policy* 15(4): 514–530.
- Zahariadis N (2014) Ambiguity and multiple streams. 3rd ed. In: Sabatier PA and Weible CM (eds), *Theories of The Policy Process*, Boulder, CO: Westview Press, pp. 25–58.

- Zahariadis N (2015) The Shield of Heracles: Multiple streams and the emotional endowment effect. *European Journal of Political Research* 54(3): 466–481.
- Zahariadis N (2016) Delphic oracles: ambiguity, institutions, and multiple streams. *Policy Sciences*, Springer US 49(1): 3–12.
- Zahariadis N and Allen CS (1995) Ideas, Networks, and Policy Streams: Privatization in Britain and Germany. *Policy Studies Review* 14: 71–98.
- Zaluar A (2007) Unfinished democratization: the failure of public safety. *Estudos Avançados* 21(61): 31–49.
- Zedner L (2000) The Pursuit of Security. In: Hope T and Sparks R (eds), *Crime, risk and insecurity: Law and order in everyday life and political discourse*, London: Routledge, pp. 200–214.
- Zohlnhöfer R and Rüb FW (eds) (2016a) *Decision-Making under Ambiguity and Time Constraints: Assessing the Multiple-Streams Framework*. Colchester, UK: ECPR Press.
- Zohlnhöfer R and Rüb FW (2016b) Introduction: Policy-Making under Ambiguity and Time Constraints. In: Zohlnhöfer R and Rüb FW (eds), *Decision-Making under Ambiguity and Time Constraints: Assessing the Multiple-Streams Framework*, Colchester, UK: ECPR Press, pp. 2–17.
- Zohlnhöfer R, Herweg N and Huß C (2016) Bringing Formal Political Institutions into the Multiple Streams Framework: An Analytical Proposal for Comparative Policy Analysis. *Journal of Comparative Policy Analysis: Research and Practice* 18(3): 243–256.

9.2 Legislative references

- BRASIL: Bill nº 1.073/1999, June 02, 1999.
- BRASIL: Bill nº 1555/2003, July 24, 2003
- BRASIL: Bill nº 292/1999, May 04, 1999
- BRASIL: Bill nº 3.722/2012, April 19, 2012
- BRASIL: Brazilian Federal Constitution of 1988.
- BRASIL: Decree nº 2.222/1997
- BRASIL: Decree nº 2.998/1999, March 23, 1999.
- BRASIL: Decree nº 3665/2000, November 20, 2000.
- BRASIL: Decree nº 5.123/2004, July 01, 2004
- BRASIL: Decree nº 55.649/1965, January 28, 1965.
- BRASIL: Law nº 10.826, December 22, 2003.
- BRASIL: Law nº 2375/1999 (DF), May 13, 1999.
- BRASIL: Law nº 3219/1999 (RJ), June 04, 1999

BRASIL: Law nº 9.437/1997, February 20, 1997.

BRASIL: Ministerial Order nº 1.261/1980, October 17, 1980

BRASIL: Presidential Decree nº 24.602/1934, July 06, 1934

URUGUAY: Bill nº 107507, 777/2011, May 04, 2011

URUGUAY: Bill nº 112037, 845/2012, April 26, 2012

URUGUAY: Bill nº 24871, 3934/2004, July 14, 2004

URUGUAY: Decree 231/002, June 18, 2002.

URUGUAY: Decree 377/016, December 05, 2016.

URUGUAY: Decree nº 12/005, January 11, 2005

URUGUAY: Decree nº 17/987, January 20, 1987.

URUGUAY: Decree nº 195/995, May 30, 1995

URUGUAY: Decree nº 238/999, July 30, 1999.

URUGUAY: Decree nº 24.229/959, April 02, 1959.

URUGUAY: Decree nº 252/968, April 16, 1968.

URUGUAY: Decree nº 2605/943, October 07, 1943

URUGUAY: Decree nº 311/978, June 06, 1978.

URUGUAY: Decree nº 365/969, July 31, 1969.

URUGUAY: Decree nº 377/016, December 05, 2016.

URUGUAY: Decree nº 406/997, October 30, 1997.

URUGUAY: Decree nº 548/968, September 10, 1968.

URUGUAY: Decree nº 550/969, November 04, 1969.

URUGUAY: Decree nº 6.124/945, December 21, 1945

URUGUAY: Decree nº 652/970, December 22, 1970.

URUGUAY: Decree-law nº 10.415, February 13, 1943.

URUGUAY: Law nº 16.145, October 09, 1990.

URUGUAY: Law nº 16.707/995, July 19, 1995.

URUGUAY: Law nº 17.300, March 07, 2001.

URUGUAY: Law nº 17.468, April 03, 2002.

URUGUAY: Law n° 18.087, January 16, 2007.

URUGUAY: Law n° 18.233, January 11, 2008.

URUGUAY: Law n° 19.225, June 22, 2014.

URUGUAY: Law n° 19.247, August 27, 2014

URUGUAY: Law n° 7.253, August 06, 1920.

URUGUAY: Penal Code- Law n° 16.274, August 06, 1992

URUGUAY: Penal Code: Art. 152-bis.

Chapter 10: Annex

10.1 Methodological annex

While Kingdon (1995) studied two policy areas (health and transportation) in the same political system (USA, federal level), we focused our research on the same policy area (firearm control) across two very different political systems (Brazil and Uruguay). Nonetheless, we followed his steps regarding the use of qualitative explanatory sources to build our case studies. In consequence, case studies were developed using *in-situ* and in-depth interviews with protagonists of the policy processes, as well as legislative documents, academic literature, media reports and public opinion surveys.

The interviews regarding the Brazilian Disarmament Statute were conducted throughout October and November of 2016 in São Paulo, Brasília and Rio de Janeiro (Brazil). The interviews regarding the Uruguayan Firearm Law were conducted in Montevideo (Uruguay) in September of 2012 and 2016 (*see Table 3*). The interviews are mostly used in a non-quantitative way, but some information is coded and used quantitatively, such as the mention of specific policy entrepreneurs.

Table 3: List of interviewees by case study, name, relevant position, date, location and code

<i>Case study</i>	<i>Interviewee</i>	<i>Relevant position</i>	<i>Date</i>	<i>Location</i>	<i>Code</i>
Brazil	Bruno Langeani	Justice System Area Manager at <i>Instituto Sou da Paz</i> .	2016/10/04	São Paulo	IB01
Brazil	Melina Risso	Former Director at <i>Instituto Sou da Paz</i> .	2016/10/13	São Paulo	IB02
Brazil	Rangel Bandeira	Former Coordinator of the Firearm Control Program at <i>Viva Rio</i> .	2016/10/19	Rio de Janeiro	IB03
Brazil	Alberto Fraga	Federal Congressman; Leader of the parliamentary front 'For Legitimate Defense' (2005).	2016/11/07	Brasília	IB04
Brazil	Daniel Ramos		2016/11/08	Brasília	IB05
Brazil	Domingo Cunha	Advisor to Federal Congressman Onyx Lorenzoni.	2016/11/08	Brasília	IB06
Brazil	Denis Mizne	Founder and former Executive Director of <i>Instituto Sou da Paz</i> .	2016/11/22	São Paulo	IB07
Brazil	Bene Barbosa	President of <i>Movimento Viva Brasil</i> .	2016/11/30	São Paulo	IB08
Brazil	Salésio Nuhs	Director of CBC (<i>Companhia Brasileira de Cartuchos</i>) and President of the Association of National Weapons and Ammunition Industries (<i>ANIAM</i>).	2016/12/13	São Paulo	IB09

<i>Case study</i>	<i>Interviewee</i>	<i>Significant position</i>	<i>Date</i>	<i>Location</i>	<i>Code</i>
Uruguay	Brufau Clake	Attorney, Army's Material and Weapons Service (SMA) – Ministry of Defense.	2014/11/27	Montevideo	IU01
Uruguay	Ignacio Salamano	Sociologist, Coordinator of the Firearms Impact Observatory at <i>IELSUR</i> .	2014/11/27	Montevideo	IU02
	Luis Pedernera	Attorney, Coordinator at <i>IELSUR</i> .			
Uruguay	Brufau Clake	Attorney, Army's Material and Weapons Service (SMA) – Ministry of Defense.	2014/11/28	Montevideo	IU03
	Claudio Feola	Army colonel, Manager Director of the Army's Material and Weapons Service (SMA) – Ministry of Defense.			
	Juan Cuadrado	Army colonel, Head of the National Weapons Registry – Ministry of Defense.			
Uruguay	Luis Eduardo Morás	Sociologist and criminal violence expert, <i>Universidad de la República</i> .	2014/11/28	Montevideo	IU04
Uruguay	Javier Donnangelo	Director of the Violence and Criminality Observatory – Ministry of Interior.	2014/11/28	Montevideo	IU05
Uruguay	Gustavo Guidobono	Director of the Association for Civil Disarmament (<i>ALUDEC</i>).	2014/12/03	Montevideo	IU06
Uruguay	Rafael Paternain	Sociologist and criminal violence expert, <i>Universidad de la República</i> .	2014/12/03	Montevideo	IU07
Uruguay	Ignacio Salamano	Sociologist, Coordinator of the Firearms Impact Observatory at <i>IELSUR</i> .	2016/09/12	Montevideo	IU08
	Luis Pedernera	Attorney, Coordinator at <i>IELSUR</i> .			
Uruguay	Julio Lestido	Firearms importer, seller and collector. Secretary of the Uruguayan Association of Firearms and Ammunition Collectors (<i>ACAMU</i>)	2016/09/12	Montevideo	IU09
Uruguay	Daisy Tourné	Senator of the Republic (Uruguay), <i>Frente Amplio</i> .	2016/09/13	Montevideo	IU10
Uruguay	Iván Posada	Congressman of the Republic (Uruguay), <i>Partido Independiente</i> .	2016/09/14	Montevideo	IU11*
Uruguay	Guillermo Maciel	Former chief position at the Ministry of Interior (1998-2005); Director of the Security Observatory <i>FUNDAPRO</i> ; current security advisor for the <i>Partido Colorado</i> ;	2016/09/15	Montevideo	IU12

*The audio of Ivan Posada's interview is unavailable and was therefore not taken into consideration.

10.2 Author information

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